# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

C100	General
	,
Plaintiff(s),	Case No. 89-CR-83-01-E
vs.	Date $9/4/90$
Park 8 -100 1	77
Laran Eugene Hall, Sr	
	PROCEEDING Learing
	Hearing
Defendant(s).	
Defendant (S).	
JUDGE COOK Deputy R. Miller	Reporter Simpson
JUDGE ELLISON Deputy McCullough	Reporter Dorrough
JUDGE BRETT Deputy Overton  JUDGE Deputy	Reporter Caslavka
JUDGEDeputy	Reporter
COUNSEL FOR: Plaintiff J. M.	ergan
	unten .
MINUTES: Deft will not be beauty trial date of 9-17-90. Duf want & spanning hy prival	
think to a second	ck from Nochestic
my school and of by-17-90. King	t co indecates They may
want I spanned hy prival	e focal de:
Armed Jag	
- PT Stricken from 9-5	-90 - b by rest 1000 8 - 20/21
AT cont d to 10-15-90	-90 - 6 he resit upon appl/07/
James Harris of the A	9,30
- Inne from date 1 is release	sed from Rochestic &
10-15-90 is Haludable.	3161(K)
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	V
LIST WITNESSES ON BACK:	
THE STATE OF	w.

Approved:

United Sta	tes District (	CourtFILED
	_ DITRICT OF E KANSAS	
UNITED STATES OF AMERICA V.	Jack C. Silver, Clerk U. S. DISTRICT COURT	RALP L. Del OACH, CLERK By School Deputy ARANCE BOND
LORAN EUGENE HALL, SR.  Defendant	CASE NUMBER:	89-Q-83-01-E 90-1041M-01

Non-surety: I, the undersigned defendant acknowledge that I and my  Surety: We, the undersigned, jointly and severally acknowledge that we and our  personal representatives, jointly and severally, are bound to pay to the United States of America the sum of
The conditions of this bond are that the defendant Loran Eugene Hall, Sr.
is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.
It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.
If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.
This bond is signed on April 9, 1990 at Wichita, Kansas  Defendant. Address. 16/9 E Place 0 - 1
Surety. Address. Millson 6/2  Address. 13/ M= fain  Neuton Kousay 67114.
Signed and acknowledged before me on April 7, 1990
endant's Telephone Number $3/6/983-/628$ $\sqrt{6}$

### United States District Court

	г	DISTRICT OFKA	NSAS	APR 1 0 1990
U	NITED STATES OF AMERICA  V.	ORDER	SETTING CON	
LC	DRAN EUGENE HALL, SR.  Defendant	Case Number:	90-1041M-01	
IT I	S ORDERED that the release of the defen	dant is subject to the fol	lowing conditions:	
(2)	The defendant shall not commit any offer case.  The defendant shall immediately advise to change in address and telephone number. The defendant shall appear at all proceed imposed as directed. The defendant shall with the following the foll	the court, defense counser.  edings as required and so next appear at (if blank and appear).	sel and the U.S. attorn shall surrender for serv , to be notified)	ey in writing of any ice of any sentence  5 U. S. Courthouse  Place F.M.
	Release on Personal	Recognizance or Un	secured Bond	
IT IS	S FURTHER ORDERED that the defendar	nt be released provided the	hat:	
<b>V</b> ) (4)	The defendant promises to appear at all p imposed.	proceedings as required a	nd to surrender for serv	vice of any sentence
) (5)	The defendant executes an unsecured b		dollars (\$	)
	in the event of a failure to appear as require	red or to surrender as dire	ected for service of any	sentence imposed.

#### **Additional Conditions of Release**

( ) (6)	The defendant is placed in the custody of:
	(Name of person or organization)
	(Address)
who agree	(City and State) (Tel. No.) es (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the
appearance	e of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant by conditions of release or disappears.
	Signed:
	Signed:Custodian or Proxy
X	
	The defendant shall: (a) maintain or actively seek employment.
	(a) maintain of activery seek employment. (b) maintain or commence an educational program.
W.	(c) abide by the following restrictions on his personal associations, place of abode, or travel:
1	(c) abide by the following restrictions on his personal associations, place of abode, or travel:  That defendant not leave Kansas during the time this
	case is pending without first obtaining permission
\v-v	of the court.  (d) avoid all contact with the following named parettee, who are considered either alleged that improve a restartial witnesses.
	(d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:
al	leged unendacted Co-Conspirator in this Con.
XX	(e) report on a regular basis to the following agency: Pretural serves officer by telephone on a daily box's as directed by the netteral serves officer by telephone on a (f) comply with the following curfew: 9:000 pm. until 6:00 pm lock mouning
	daily box's as curedid by the feeting serves offering
/ XX	(1) comply with the following curtew: 4.00 http://www.
XX	(g) refrain from possessing a firearm, destructive device, or other dangerous weapon.
X	(h) refrain from each use of alcohol, and any use or unlawful possession of a narcotic drug and other con-
	trolled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.
( )	(i) undergo medical or psychiatric treatment and/or remain in an institution, as follows:
(	(j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or
	designated property:
( )	(k) post with the court the following indicia of ownership of the above-described property, or the following amount or
_	percentage of the above-described money:
XX	(1) execute a bail bond with solvent sureties in the amount of \$ 25,000, 00 Wy Torenty & Brather
(	(m) return to custody each (week)day as ofo'clock after being released each (week)day as of
, ,	o'clock for employment, schooling, or the following limited purpose(s):
.9	
	(n) surrender any passport to
	(o) obtain no passport.
X	S(p) All to sure the person + not to apply for a
	not to leave The Codemental limit as del sal of the
	Care to for the
	cou is poured

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both. A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

Address

City and State

Telephone

T. S. "

- 1028

Directions to United States Marshal

The defendant is ORDERED released after processing.

The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, it still in sustody.

Date: Okul 9/1

Signature of Judicial Officer

JOHN B. WOOLEY, U. S. Magistrate

Name and Title of Judicial Officer

Antted St	ates <b>Bistri</b>	ct Court	TLED
NORTHERN	DISTRICT OF	OKLAHOMA	NOV 27 1989 B
UNITED STATES OF AMERICA		Б (, †	nck C. Silver, Clerk
V.		APPEARANCE 1	BOND
DAVID ROYSE LADD			
Defendant	CASE NU	MBER:89-CR-83-0	5-E
Surety: We, the undersigned, jointly apersonal representatives, jointly and severa  \$	Ily, are bound to pay to tand there has been deposite	e that we and our he United States of A red in the Registry of the	he Court the sum of
The conditions of this bond are that the de	efendant <u>David Royse</u>	Ladd (name)	
is to appear before this court and at such oth with any and all orders and directions relating violation of a condition of defendant's releastates District Court to which the defendant to abide by any judgment entered in such rany order or direction in connection with such	to the defendant's appear ase as may be ordered or t may be held to answer natter by surrendering to	ance in this case, inclu notified by this court or the cause transferr	uding appearance for or any other United ed. The defendant is
It is agreed and understood that this is which shall continue until such time as the und	a continuing bond (incluersigned are exonerated.	ding any proceeding of	on appeal or review)
If the defendant appears as ordered or nothis bond, then this bond is to be void, but it ment of the amount of this bond shall be due be declared by any United States District Coubreach and if the bond is forfeited and if the motion in such United States District Court at together with interest and costs, and execut Rules of Criminal Procedure and any other laws	f the defendant fails to obe forthwith. Forfeiture of this art having cognizance of the forfeiture is not set aside a against each debtor jointly ion may be issued and pa	ey or perform any of the sound for any breach of a sound for any breach of above entitled matter or remitted, judgment read severally for the asyment secured as pro-	nese conditions, pay- of its conditions may r at the time of such may be entered upon amount above stated, vided by the Federal
This bond is signed on 11-27-89  Defendant.	at <u>Tulsa</u> , (	)klahoma (2/6) 100 HArrisburg 1	S) 452-0425 Rd, CAUTON, OLIO 447.
Surety			
Surety.	Address		
Signed and acknowledged before me on	Noy. 27, 1	989	
0 // &/ /		Judicial Officer/Clerk	ayer

### United States District Court

NORTHERN	_ DISTRICT OF	OKLAHOMA
UNITED STATES OF AMERICA		
V.	ORDER	SETTING CONDITIONS OF RELEASE
DAVID ROYSE LADD	Case Number:	89-CR-83-05-E
Defendant	_	
IT IS ORDERED that the release of the def	fendant is subject to the fo	llowing conditions:
<ol> <li>The defendant shall not commit any of case.</li> </ol>	ffense in violation of feder	al, state or local law while on release in this
(2) The defendant shall immediately advis change in address and telephone num	se the court, defense coun ber.	sel and the U.S. attorney in writing of any
(3) The defendant shall appear at all production	ceedings as required and	shall surrender for service of any sentence
imposed as directed. The defendant sha	all next appear at (if blank	r, to be notified)Place
	on	re and Time
Release on Persona	al Recognizance or Un	secured Bond
IT IS FURTHER ORDERED that the defend	lant be released provided t	hat:
(4) The defendant promises to appear at all imposed.	proceedings as required a	nd to surrender for service of any sentence
X ) (5) The defendant executes an unsecured Ten thousand and no/100	bond binding the defend	ant to pay the United States the sum of
in the event of a failure to appear as requ	uired or to surrender as dire	ected for service of any sentence imposed.

#### **Additional Conditions of Release**

Upon find the safety of otl conditions mark	ing that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and her persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the ed below:
	defendant is placed in the custody of: ne of person or organization)
(Add	dress)
who agrees (a) appearance of the	to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant ditions of release or disappears.
	Signed:Custodian or Proxy
( ) (b) <b>K</b> ) (c)	defendant shall: maintain or actively seek employment. maintain or commence an educational program. abide by the following restrictions on his personal associations, place of abode, or travel: Travel is restricted to the Northern District of Oklahoma and the Northern District of Ohio
( ) (d)	avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:
<b>X</b> ) (e)	report on a regular basis to the following agency: As directed by the U.S. Probation Office
( ) (f)	comply with the following curfew:
( ) (g)	refrain from possessing a firearm, destructive device, or other dangerous weapon.
( X (h)	refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner. undergo medical or psychiatric treatment and/or remain in an institution, as follows:
	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:
	post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
( ) (m)	execute a bail bond with solvent sureties in the amount of \$
	surrender any passport to obtain no passport.  Partilipate in Succinful drug Screening
X	consiller w/atty before llawng lown

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

2100 Harrisburg Rd/

Address

Canton, Ohio 44721 (216)452-047

City and State

Telephone

#### Directions to United States Marshal

(X) The defendant is ORDERED released after processing.

( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: November 27, 1989

Signature of Judicial Officer

Jeffrey S. Wolfe, U.S. Magistrate

Name and Title of Judicial Officer

### TLED

# United States District Court NOV 24 1989 de

NORTHERN District of OKLAHOMA

C. Silver, Clerk

UNITED STATES OF AMERICA V.

JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Michael Steven Hall

Case Number 89-CR-083-006-E

	Case Number 89-CR-083-006-E V
(Name of Defendant)	David Booth
	Defendant's Attorney
THE DEFENDANT:	
pleaded guilty to count(s) Count One of a was found guilty on count(s) plea of not guilty.	Single Count Indictment after a
Accordingly, the defendant is adjudged guilty of Title & Section Nature of N	of such count(s), which involve the following offenses: <u>Count Number(s)</u>
Possession	to Manufacture, Count One With Intent to Methamphetamine
The defendant is sentenced as provided in pages imposed pursuant to the Sentencing Reform Act o  The defendant has been found not guilty on co and is discharged as to such count(s).	
<ul><li>☐ Count(s)</li></ul>	in the portion of this Judgment that imposes a fine. United States a special assessment of \$50
	otify the United States Attorney for this district within ddress until all fines, restitution, costs, and special paid.
Defendant's Soc. Sec. Number:	
509-58-7954	November 21, 1989
Defendant's mailing address:	Date of Imposition of Sentence
1619 East 10th Street	Signature of Judicial Officer
Newton, Kansas 67114	The Honorable James O. Ellison
Defendant's residence address:	United States District Judge Name & Title of Judicial Officer
Same as above	Date

* AO 245'S (3/88) Sheet 2 - Imprisonment	
Defendant: Michael Steven Hall Case Number: 89-CR-083-006-E	Judgment—Page 2 of 4
The defendant is hereby committed imprisoned for a term ofone year a	to the custody of the United States Bureau of Prisons to be and one day .
☐ The Court makes the following recomm	mendations to the Bureau of Prisons:
☐ The defendant is remanded to the cus	tody of the United States Marshal
☐ The defendant shall surrender to the U	
a.m.	
□ as notified by the Marshal.	
∏ The defendant shall surrender for service	of sentence at the institution designated by the Bureau of Prisons
k before 2 xpxmx 20x 12 noon on Ja	anuary 2, 1990.
<ul><li>as notified by the United States Ma</li><li>as notified by the Probation Office.</li></ul>	
	RETURN
I have executed this Judgment as follows:	lows:

Defendant delivered on \_\_\_\_\_\_ to \_\_\_\_\_, with a certified copy of this Judgment.

United States Marshal

Deputy Marshal

Judgment—Page3 of4
Defendant: Michael Steven Hall Case Number: 89–CR–083–006–E
SUPERVISED RELEASE
Upon release from imprisonment, the defendant shall be on supervised release for a term of
Five (5) years
While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that he defendant pay any such restitution that remains unpaid at the commencement of the term of supervised elease. The defendant shall comply with the following additional conditions:
The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
N/A

+1 .

Judgment—Page 4 of 4

Defendant: Michael Steven Hall Case Number: 89-CR-083-006-E

#### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime:
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court:
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall not possess a firearm or any orther dangerous weapon. These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation office.

### United States District Court

NORTHERN	DISTRICT OF OKLAHOMA
	FILED
UNITED STATES OF AMERICA V.	OCT 24 1989
BARBARA A. MARTENEY	Jack C. Silver, Clerk U.S. DISTRICT COURT
Defendant	CASE NUMBER: 89-CR-83-04-E
Surety: We, the undersigned, jointly an	ant acknowledge that I and my and severally acknowledge that we and our
\$ 20,000 , an	y, are bound to pay to the United States of America the sum of d there has been deposited in the Registry of the Court the sum of UNSECURED (describe other security.)
The conditions of this bond are that the defe	endantBARBARA A. MARTENEY
with any and all orders and directions relating t violation of a condition of defendant's releas States District Court to which the defendant to abide by any judgment entered in such many order or direction in connection with such lt is agreed and understood that this is	a continuing bond (including any proceeding on appeal or review)
this bond, then this bond is to be void, but if t ment of the amount of this bond shall be due to be declared by any United States District Court breach and if the bond is forfeited and if the for motion in such United States District Court ag	dified and otherwise obeys and performs the foregoing conditions of the defendant fails to obey or perform any of these conditions, payorthwith. Forfeiture of this bond for any breach of its conditions may a having cognizance of the above entitled matter at the time of such perfeiture is not set aside or remitted, judgment may be entered upon ainst each debtor jointly and severally for the amount above stated, in may be issued and payment secured as provided by the Federal
This bond is signed on 10-24-89  Defendant.  Defendant.	at TULSA, OK  Address. 213 E. First, Apt. B Hutchinson 67501-05 699-9403  Address.
Surety.	
Signed and acknowledged before me on _	

### United States District Court

NORT	HERN	DISTRICT OF	OKLAHOMA	
UNITED STAT	ES OF AMERICA			
CMILD STAT	LS OF AMERICA			
	V.	ORDER	SETTING CONDITIONS OF RELEASE	3
BARBARA ANN		Case Number:	89-CR-83-04-E	
Defe	endant			
		efendant is subject to the fo		
case.	at shall not commit any	offense in violation of federa	al, state or local law while on release is	n this
(3) The defendar	dress and telephone nur nt shall appear at all pre- lirected. The defendant s	mber. oceedings as required and s hall next appear at (if blank	Place	
		_ on Dat	e and Time	
		nal Recognizance or Un		
IT IS FURTHER (	ORDERED that the defer	ndant be released provided to	hat:	
( <b>V</b> ) (4) The defendan imposed.	t promises to appear at a	all proceedings as required a	nd to surrender for service of any sent	ence
TWENTY ?	THOUSAND DOLLA	RS AND NO/100	ant to pay the United States the sun dollars (\$\frac{20,000.00}{\text{ected}} for service of any sentence impos	)

#### **Additional Conditions of Release**

the safe	ety of ot	ding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and ther persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the ked below:
( )	(Na	e defendant is placed in the custody of: ame of person or organization)
	(Ad	ty and State) (Tal. No.)
appeara	ince of t	ty and State)
		Signed:
		Signed:Custodian or Proxy
( XX )		e defendant shall: maintain or actively seek employment.
	( ) (b)	maintain or commence an educational program.
		abide by the following restrictions on his personal associations, place of abode, or travel:
		evel is restricted to the Northern District of Oklahoma unless
	per	mission to travel outside the Northern District is granted from
	( ) (d)	e U.S. Probation Office; to include District of Kansas avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses
	(X)X (e) Rep	report on a regular basis to the following agency:
	( ) (f)	comply with the following curfew:
	( ) (g)	refrain from possessing a firearm, destructive device, or other dangerous weapon.
	( ) (h)	refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug and other con-
		trolled substances defined in 21 U.S.C. \$802 unless prescribed by a licensed medical practitioner.
	( ) (i)	undergo medical or psychiatric treatment and/or remain in an institution, as follows:
	( ) (j)	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money of designated property:
	( ) (k)	post with the court the following indicia of ownership of the above-described property, or the following amount o percentage of the above-described money:
	( ) (1)	execute a bail bond with solvent sureties in the amount of \$
	( ) (n)	n) return to custody each (week)day as ofo'clock after being released each (week)day as of
	( ) (	o'clock for employment, schooling, or the following limited purpose(s):
	( ) (n)	surrender any passport to
		) obtain no passport.
	(a) XX	) successfully participate in drug monitoring as directed by the
		U. S. Probation Office

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

213 E. First, Apt. B

Address

Hutchinson, KS 67501-05 699-9403

City and State

Telephone

#### Directions to United States Marshal

X732	The	dafamdamı		ODDEDED	1 1	C.	
X XI	1116	defendant	- 18	ORDERED	released	affer i	processing

( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: \_\_\_10-24-89

JOHN LEO WAGNER, U.S. MAGISTRATE

Signature of Judicial Officer

Name and Title of Judicial Officer

United Sta	tes Pistrict Court OCT 1 1989
UNITED STATES OF AMERICA V.  BARBARA ANN MARTENEY  Defendant	Jack C. Silver, Clerk PPEARANCE BOND  U.S. DISTRICT COURT PEARANCE BOND  89-02-93-04-E  CASE NUMBER: 89-1081M-03
Surety: We, the undersigned, jointly and personal representatives, jointly and severally	nt acknowledge that I and my d severally acknowledge that we and our , are bound to pay to the United States of America the sum of there has been deposited in the Registry of the Court the sum of there has been deposited in the Registry of the Court the sum of the court the court the sum of the court the sum of the court the
The conditions of this bond are that the defer is to appear before this court and at such other with any and all orders and directions relating to	places as the defendant may be required to appear, in accordance the defendant's appearance in this case, including appearance for

with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

	Rules of Criminal Procedure and any other laws of the United States.	
	This bond is signed on Oct. 10, 1989 at Wichita, Kansas  Defendant. Date Address. 2/3 Earle 1st Apt B  Surety Och & Address. Address. Deliver, Nouses 6758  Surety. Journ & Stall Address. 7619 @ 1015 Trenty Kouse  Address. 7619 @ 1015 Trenty Kouse	1
	Signed and acknowledged before me on Oct. (0, 1989	
ef	endant's phone number 316/169-9403	
	Judicial Officer/Clerk	

### United States District Court FILED

	_ DISTRICT OFKANS	SAS 00T 1 11389	
UNITED STATES OF AMERICA		PALPHIL DOLGACIO	a " » a fire
V.	ORDER S	SETTING CONDITIONS OF RELEASE	
BARBARA ANN MARTENEY  Defendant	Case Number:	89-1081M-03	
IT IS ORDERED that the release of the def  (1) The defendant shall not commit any of case.			5
(2) The defendant shall immediately advise change in address and telephone num	nber., place of emp	ployment (and telephone n	
		to be notified) 326 U. S. Couri	
_Wichita, Kansas	on October //	. 1989 at	p.m.
Release on Persona	al Recognizance or Uns	ecured Bond	
IT IS FURTHER ORDERED that the defend			
(V) (4) The defendant promises to appear at all imposed.	l proceedings as required and	d to surrender for service of any sentence	
in the event of a failure to appear as req	bond binding the defendar	nt to pay the United States the sum of dollars (\$ 20,000 (\$) cted for service of any sentence imposed.	

#### Additional Conditions of Release

Upon fi the safety of conditions ma	nding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the rked below:
( ) (6) Th	ne defendant is placed in the custody of:
()	ame of person or organization)
	ddress)
(C	ity and State)(Tel. No.)
appearance of	a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant onditions of release or disappears.
	Signed:
	Custodian or Proxy
(XX) (7) TI	ne defendant shall:
( ) (a	) maintain or actively seek employment.
( ) (b	) maintain or commence an educational program.
*X(X) (C	) abide by the following restrictions on his personal associations, place of abode, or travel:
	That defendant not leave Kansas during the time this
·,	case is pending without first obtaining permission
* V(X) (d	of the court. ) avoid all contact with the following many decreases, who are considered either alleged victims or potential witnesses:
«¥(V	avoid all contact with the stlowing named persons, who are considered either alleged victims or potential witnesses:
( ) (e	report on a regular basis to the following agency:
( ) (f	comply with the following curfew:
()(0	refrain from possessing a firearm, destructive device, or other dangerous weapon.
(h)	refrain from conserving a frical in, destructive device, or other dangerous weapon.  refrain from conserving use of alcohol, and any use or unlawful possession of a narcotic drug and other conserving the conserving transfer of the conser
V/ (	trolled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.
( ) (i)	undergo medical or psychiatric treatment and/or remain in an institution, as follows:
M (ii	execute a hand or an agreement to forfeit when failing to appead as required the following our of managers
X 0	execute a bond or an agreement to Torfeit upon failing to appear as required, the following sum of money or designated property: Juenty Thousand Adda Bondy to be signed by
	Beatler Lower Engene Half M. + goodfather Jack Hall.
	The state of the s
( ) (k	) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
( ) (1)	execute a bail bond with solvent sureties in the amount of \$
( ) (n	n) return to custody each (week)day as ofo'clock after being released each (week)day as ofo'clock for employment, schooling, or the following limited purpose(s):
/ \ / -	
	) surrender any passport to
	) obtain no passport.
( ) (p	

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both. A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

City and State

Directions to United States Marshal

The defendant is ORDERED released after processing.

The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: /0//0/5

Signature of Judicial Officer

JOHN B. WOOLEY, U. S. Magistrate

Name and Title of Judicial Officer

			Louri
NORTHERN DIST	TRICT OF	OKL	AHOMA
UNITED STATES OF AMERICA			
V.		A DDE	ARANCE BOND
LODDY D. WILL		APPE	ARANCE BOND
LOREN E. HALL  Defendant	CASE I	NUMBER:	89-CR-83-0 <b>3</b> -E
Non-surety: I, the undersigned defendant ackresurety: We, the undersigned, jointly and severally, are because \$\frac{5.0.00}{2.000} \#20,000 \WSelwed\text{WSelwed}, and there \$\frac{5.000}{5.000} \#20,000 \WSelwed\text{Selwed} in cash or \text{su}	rally acknowled bound to pay to	ge that we the United sited in the	and our d States of America the sum of Registry of the Court the sum of
The conditions of this bond are that the defendant	LOREN E.	нат.т.	
riolation of a condition of defendant's release as material between District Court to which the defendant may be a bide by any judgment entered in such matter by any order or direction in connection with such judgment is agreed and understood that this is a continuation shall continue until such time as the undersigned and the continuation of t	e held to answer surrendering ent. nuing bond (inc	er or the ca to serve an	use transferred. The defendant y sentence imposed and obeyin
If the defendant appears as ordered or notified an his bond, then this bond is to be void, but if the defendent of the amount of this bond shall be due forthwith be declared by any United States District Court having reach and if the bond is forfeited and if the forfeiture notion in such United States District Court against each gether with interest and costs, and execution may be alless of Criminal Procedure and any other laws of the United States.	endant fails to on Forfeiture of the cognizance of the is not set aside ach debtor joint be issued and	obey or perf his bond fo the above e e or remitte ly and seve	orm any of these conditions, pay r any breach of its conditions ma entitled matter at the time of suc d, judgment may be entered upo rally for the amount above stated
This bond is signed on		LSA, OK	Place
Defendant John & Hall TR	Address. <sup>1</sup>	050 N.	Georgie St. Derby, KS
SUPERIOR LUMBERMENS MUT. INS. CO.	* * * *	67	
13 JAN Karen Milha Willon		67	
ATTORNEY IN FACT	Address	211 00 1710	7 Tulsa 7419
ATTORNEY IN FACT  Signed and acknowledged before me on ———————————————————————————————————	Address	67	7 Tulsa 7419
57/	Address	211 00 1710	7 Tulsa 7419

NORTHERN

# United States District Court

DISTRICT OF

AUG 17 1868 B

OKLAHOMA

	30.11101 000
UNITED STATES OF AMERICA	
V.	AMENDED APPEARANCE BOND
MICHAEL STEVEN HALL	
Defendant	CASE NUMBER: 89-CR-83-06-E
Non-surety: I, the undersigned defendant acknow Surety: We, the undersigned, jointly and severall personal representatives, jointly and severally, are bout \$ 25,000, and there has \$	ly acknowledge that we and our und to pay to the United States of America the sum of as been deposited in the Registry of the Court the sum of
	(name)
with any and all orders and directions relating to the defeviolation of a condition of defendant's release as may States District Court to which the defendant may be he to abide by any judgment entered in such matter by su any order or direction in connection with such judgment.  It is agreed and understood that this is a continuity	ng bond (including any proceeding on appeal or review)
which shall continue until such time as the undersigned are	exonerated.
this bond, then this bond is to be void, but if the defend ment of the amount of this bond shall be due forthwith. F be declared by any United States District Court having co breach and if the bond is forfeited and if the forfeiture is motion in such United States District Court against each	otherwise obeys and performs the foregoing conditions of ant fails to obey or perform any of these conditions, pay- forfeiture of this bond for any breach of its conditions may be obtained of the above entitled matter at the time of such not set aside or remitted, judgment may be entered upon debtor jointly and severally for the amount above stated, issued and payment secured as provided by the Federal d States.
This bond is signed on $\frac{8-17-89}{}$ at	TULSA, OK
Defendant. Musheul Half	TULSA, OK  Address. 327 E. 1st St., Hutchinson, KS 67501 316-669-9403
Surety	Address.
Surety	Address.
Signed and acknowledged before me on 8-17-	Date  Judicial Office! Clark

POWER AMOUNT \$15,000

### **\_umbermens Mutual Insurance**

mpany BB15 125351

3600 Woodview Trace, P.O. Box 68932, Indianapolis, IN 46268

KNOW ALL MEN BY THESE PRESENTS: that INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY, a corporation duly organized and existing under the laws of the State of Indiana, has made, pursuant to By-Laws duly adopted by the Directors of said company, and now in full force and effect, does constitute and appoint, and by these presents does make, constitute and appoint the below named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only.

Authority of such Attorney-in-Fact is limited to appearance bonds, especially no authority is provided herein for the execution of surety immigration bonds, and cannot be construed to guarantee for failure to provide payments, back alimony payments, finess or wage law claims, on behalf of below named defendant.

This power void if altered or erased, void if used with other powers of this company or other powers of other companies to furnish bail in excess of the stated face amount of this power, and can only be used once. The obligation of the company shall not exceed the sum of

FIFTEEN THOUSAND (\$15,000.00) DOLLARS
and provided this Power-Of-Attorney is filed with the bond and retained as a part of the court records. The said Attorney-In-Fact is hereby authorized to insert
in this Power-Of-Attorney the name of the person on whose behalf this bond was given.
IN WITNESS WHEREOF, INDIANA LUMBERMENS MUTUAL INSURANCE COMBANY has caused these presents to be signed by its duly authorized officer,
proper for the purpose and its corporate seal to be hereunto affixed this
5 100.00
Bond Amount \$ Appearance Date
Defendant: LOW To Half 89-CR-83-03E NDIANA LUMBERMENS MUTUAL INSURANCE COMPANY
Case # 89-CK-83-03E
Court ted city Tuber St. The SEAD & Court
Offense CONS. To MAT. MATERIAL USI-9D
Executing Agent Laranthe Oliver USI-9D

# United States District Court

NOI	RTHERN	_ DISTRICT OF	OKLAHOMA
UI	NITED STATES OF AMERICA V.		AMENDED SETTING CONDITIONS OF RELEASE
MICH	HAEL STEVEN HALL	Case Number:	89-CR-83-06-E
	Defendant		
IT IS	ORDERED that the release of the defe	endant is subject to the fol	lowing conditions:
(1)	The defendant shall not commit any of case.	fense in violation of federa	al, state or local law while on release in this
(2)	The defendant shall advise the court ar	nd the U.S. attorney in wr	iting prior to any change in address.
(3)	The defendant shall appear at all produce	ceedings as required and s	shall surrender for service of any sentence
	imposed as directed. The defendant sha	all next appear at (if blank	
		0.0	Place
		Dat	e and Time
	Release on Persona	al Recognizance or Un	secured Bond
IT IS	FURTHER ORDERED that the defend	dant be released provided t	hat:
	The defendant promises to appear at all imposed.	l proceedings as required a	and to surrender for service of any sentence
	Twenty flu Highsan	d dellars + No	dant to pay the United States the sum of dollars (\$_25,000 ) ected for service of any sentence imposed.

### **Additional Conditions of Release**

Upon findi the safety of oth conditions marke	ing that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and her persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the ed below:
(Nam	defendant is placed in the custody of: ne of person or organization)
who agrees (a) tappearance of the	to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the edefendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant ditions of release or disappears.
	Signed:Custodian or Proxy
( ) (b) n XX (c) a Defer Trave the I ( ) (d) a	maintain or actively seek employment.  maintain or commence an educational program.  abide by the following restrictions on his personal associations, place of abode, or travel:  ndant to reside with mother at: 327 E. 1st Hutchinson, KS 67501  el is restricted to the Northern & Western Districts of Okla., &  Dist of Kansas unless permission to travel elsewhere is granted  avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:  report on a regular basis to the following agency:
Repor	rt to the U.S. Probation Office as directed comply with the following curfew:
<b>XX</b> (h) r	refrain from possessing a firearm, destructive device, or other dangerous weapon. refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner. undergo medical or psychiatric treatment and/or remain in an institution, as follows:
	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:
	post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
( ) (m) r	execute a bail bond with solvent sureties in the amount of \$
( ) (o) c X(X) (p)	surrender any passport to

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Nignature of Defendant

327 E. 1st St.

Address

Hutchinson, KS 67501

316-669-9403

City and State

Telephone

#### Directions to United States Marshal

XX.	The	defendant	is	ORDERED	released	after	processing.
-----	-----	-----------	----	---------	----------	-------	-------------

( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: \_\_\_\_\_8-17-8

May Judicial Officer

CLERK TATES DISTRICT COURT

M 204, 401 N. MARKET ST. A, KANSAS 67202-2096

OFFICIAL BUSINESS

NALTY FOR PRIVATE USE \$300







POSTAGE AND FEES PAID UNITED STATES COURTS USC 426

AACK C. SILVER. OLERK'S Office U. S. District Court 411 U. S. Courthouse 333 West 4th Street 7.3. OK 74103

Haddalllandallahan Haladall

	AND AND APPOINTMENT OF AND AUTH			COURT APPO	INTED	COUNSE	EL	
10.00	© MAG. 2 ☐ DIST. 4 ☐ OTHER	MAG. DOCK	ET NO.	3. DIST, CT		VOUCHER	NO.	54895
_	APPEALS DOCKET NO. 5. FOR (DISTRICT/CIRCUIT) 6.	LOC. CODE		7. CHARGE/OF	FENSE (U.	S. or other		7A. CASE CODE
0	ND OKLAHOMA	OKNTU	La pen	21:84	10			68
0.	USA VS David Ladd		9. PER	SON REPRESENTED  David Ladd		(ME)	. 1	9A. NO. REPRES.
10	PERSON REPRESENTED (STATUS)	νΨ,	11. PR	OCEEDINGS (Describ	e briefly)			
	1 DEFENDANT—ADULT 3 APPELLANT 5 D 2 DEFENDANT—JUVENILE 4 APPELLEE	OTHER			*			
12	PAYMENT CATEGORY	*		All Procee	dings			
	B MISDEMEANOR D APPEAL	OTHER				1 130 2 2 2 3 30 34 34 34		
13	COURT ORDER  O Appointing Counsel F Subs. for FD P Subs. f	f D1 D11		*	3			
				Name	of prior pan	el attorney		
1	C Co-Counsel R Subs. for Retained Atty.  Because the above-named "person represented" has testified up		Appt. Da	te		_ Voucher		
1 -	otherwise satisfied this court that he or she (1) is financially ur	nable to empl	ov'	14. NAME OF ATTO MAILING ADDR		EE AND		
	counsel and (2) does not wish to waive counsel, and because th justice so require, the attorney whose name appears in item 14	is appointed	to	John E. Dov	dell "			
,	represent this person in this case.	. 1 1	1	1 2900 Mid-Co		t Tower		
	the state of the	Jesto	li	Tulsa, Okla		74104		
	Sig of Presiding Judicial Officer or By Order of Cod	(rt (Clerk/Dei	puty)		,51			
	November 28, 1989	*	-	15. TELEPHONE NO		16. SOC	SEC N	0
-	Date of Order Nunc Pro Tu	unc Date	_	918/583-7571				27
7.0	CLAIME	OR SERVI	CES OR	EXPENSES		1 442-	60-37	16
S.	SERVICE	HOU			TES		Manual	
17.	a. Arraignment and/or Plea	1.0	)	3/2/90			times t	ly rate per hour otal hours to
	b. Bail and Detention Hearings			3, 2, 30				"In Court" nsation.
	c. Motions Hearings						Enter t	otal below.
H	d. Trial		,					
COURT	e. Sentence Hearings	1.0	)	5/15/90				
1000	f. Revocation Hearings			,				a. *
Z	g. Appeals Court							OTAL IN
	h. Other (Specify on additional sheets)			V a a			C	OURT COMP.
	(Rate per hour = \$60.00 ) TOTAL HOURS =	2.0			V ~ 100		\$ 12	0.00
18. ⊢	a. Interviews and conferences	24.8		11/28/89 - 5	/15/90		times t	ly rate per hour otal hours.
URT	b. Obtaining and reviewing records	5.7	!	11	***		Enter t	otal "out of compensation
CO	c. Legal research and brief writing	11.3		"	11 .		below.	
OF	d. Travel time (Specify on additional sheets)  e. Investigative and other work (Specify on additional sheets)			11	* 11		C	OTAL OUT OF OURT
OUT		11.00						OMPENSATION
19.	(Rate per hour = \$40.00) TOTAL HOURS= TRAVEL, LODGING, MEALS ETC. AMOUNT	53.7	OTHER:	XPENSES	11 014	CLINIT		148.00
	AMOON!			LAFEINSES		OUNT		OTAL TRAVEL KP.
	8	Photoco		7 H 110 1	\$ 59.	.34	\$ .	
		1011 6	ITTS		7.	. 34		OTAL OTHER
SES		1			+			XP.
XPENS	1			1924115		11	\$	68.44
X		17			1			AND TOTAL
		9 10					CLA	RIMED
				i i		12		
							\$ 2,	336.44
_	CERTIFICATION OF ATTORNEY PAYEE FOR PERIOD _	1	1/28/8	ΙΘ	то	5/15/90		
F Ha	Final Payment     Interim Payment No	viously been a	applied fo	r? Tyes 🔽 No				`
lf s	es, were you paid? YES NO If yes, by whom were you	paid?		How much?	Has th	e person re	presente	d paid any
mo	ney to you, or to your knowledge to anyone else, in connection	n with the ma	tter for w	hich you were appoin	ted to prov	ide represer	ntation?	YES NO
	es, give details on additional sheets.	- "	1 P	melet		<b>b</b>	. 4/4	1/9)
	ve statements SIGNATURE C	F ATTORNE	EY/PAXE	E	•		ATE	110
L	22. IN COURT COMP. 23. OUT OF COURT COMP.	24. TRAVE	LEXPE		REXPENS	ES	26. TOT	AL AMT.
EN	\$ 120 \$ 2,148.00	\$		\$ 68	,44		\$ 21	236,44
>≥     	27. SIGNATORE OF PRESIDING AUDICIAL OFFICER			DATE	1100			DGE/MAG. DE
PPR &	\$ 120 \$ 2,148.00  27. SIGNATURE OF PRESIDING JUDICIAL OFFICER  28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR			6//	1/70		8	
FOR	28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR	DELEGATE	.)	DATE				AL AMT.



### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

# FILED

APR 18 1991 dt

UNITED STATES OF AMERICA,	)	U.S. DISTRICT COURT
Plaintiff,		SISTRICT COURT
vs.	}	Criminal No. 89-CR-83-001-E
LORAN EUGENE HALL, SR.,	(	ODA #4050
Defendant.	)	OBA #1256 OBA # 13102

### OBJECTION TO PRESENTENCE REPORT AND MEMORANDUM BRIEF

Pursuant Local Rule 33.1, Defendant Loran Eugene Hall, Sr. makes his specific objection to the presentence report.

Paragraph 5, page 4, states, inter alia, That case reports indicate "precursor chemical purchases and laboratory analysis of chemicals seized reflect a conservative total of 28 pounds of methamphetamine could have been produced during the course of the total conspiracy with the street value of \$280,000."

Based on the preceding, defendant, Loran Eugene Hall, Sr.'s, total offense level has been calculated as 32, and the guideline imprisonment range is 121 to 151 months. See paragraphs 5,8 through 16, and 23, of the defendant's Presentence Investigation Report..

The determination of 28 pounds is based upon conjecture, speculation, and estimation. Loran Eugene Hall, Sr. openly acknowledges that only 7 usable ounces of methamphetamine were ever produced, and the defendant would testify to such..

Wherefore, defendant Loran Eugene Hall, Sr. does not request an evidentiary hearing for purposes of determining the exact amount of methamphetamine for which he should be liable but merely wants the usable amounts

noted in the record, and for the courts consideration for a down for a downward departure from the guidelines.

Respectfully submitted,

PAULD. BRUNTON

**OBA# 1256** WILLIAM E. ERICKSON OBA#13102

Attorney for Defendant LORAN E. HALL SR.

1310 South Denver Avenue Tulsa, Oklahoma 74119

(918) 582-1993

#### CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of April, 1991, I caused a true and correct copy of this Objection to Presentence Report to be hand delivered to the office of Jack Morgan, Assistant United States Attorney, counsel for Plaintiff, and to Mr. Mark Ogle, United States Probation officer.

Paul D. Brunton

William E. Erickson

D

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA, Plaintiff,	U.S. DISTRICT COURT
vs.	CRIMINAL CASE NO: 89-CR-083-001-E
Loran Eugene Hall, Sr.	)
Defendant,	) )

#### NOTICE

Pursuant to the Order signed by the Judges of this Court, filed in Miscellaneous Number M-128, and dated October 18, 1990, you are directed to:

Appear at the U. S. Probation Office, Room 3270, 333 W.	4th Street,
U. S. Courthouse, Tulsa, Oklahoma, at 9:30 am/ XXX, Th	ursday ,
April 18 , 1991, to review the attached	Presentence
Investigation Report prepared on behalf of Loran Eugene	Hall, Sr.
in Criminal Case Number 89-CR-083-001-E . If an	appointment
at an earlier date would be more convenient, please	contact the
officer who conducted the investigation. If there are	objections,
be prepared to make them known at this review.	

Dated this  $_{-5}^{5}$  day of  $_{-}^{April}$  , 1991.

ROD BAKER, CHIEF

U. S. PROBATION OFFICER



#### CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of April, 1991, a true, exact, and correct copy of the above and foregoing instrument was mailed to the following:

Paul D. Brunton 1310 S. Denver Tulsa, Oklahoma 74119 (918) 582-1993

and

Jack Morgan 3600 U.S. Court House Tulsa, Oklahoma 74101 (918) 581-7463

Jevi Edgmon

Loran Eugene Hall, Sr.

Northern

UNITED STATES OF AMERICA

Defendant

### United States District Coukt I L'E D

DISTRICT OF \_\_\_\_\_

Oklahoma

APPEARANCE BOND

Jack C. Silver, Clerk U.S. DISTRICT COURT

CASE NUMBER: 89-CR-83-E
Non-surety: I, the undersigned defendant acknowledge that I and my  Surety: We, the undersigned, jointly and severally acknowledge that we and our  personal representatives, jointly and severally, are bound to pay to the United States of America the sum of \$
The conditions of this bond are that the defendantLoran Eugene Hall, Sr.
is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.
It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.
If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.
This bond is signed on 2-11-91 at Tulsa, Oklahoma  Defendant Total Supplementary Address. 1619 210 Newton 15
Defendant Jacon English Date Address. 1619 E 10 Newton X 5  Surety.  Surety.  Signed and acknowledged before me on 2-11-91  Defendant Jacon English Date Address.  Address. 1619 E 10 Newton X 5  316 283 10 28  Address.  Address. 1422 So Menver Julsa Ok  74119
Approved:

#### POWER OF ATTORNEY

### Indiana Lumbermens Mutual Insurance Company BB5 396363

3600 Woodview Trace, P.O. Box 68932, Indianapolis, IN 46268

KNOW ALL MEN BY THESE PRESENTS: that INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY, a corporation duly organized and existing under the laws of the State of Indiana, has made, pursuant to By-Laws duly adopted by the Directors of said company, and now in full force and effect, does constitute and appoint, and by these presents does make, constitute and appoint the below named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only.

Authority of such Attorney-in-Fact is limited to appearance bonds, especially no authority is provided herein for the execution of surety immigration bonds, and cannot be construed to guarantee for failure to provide payments, back alimony payments, finess or wage law claims, on behalf of below named defendant.

This power void if altered or erased, void if used with other powers of this company or other powers of other companies to furnish bail in excess of the stated face amount of this power, and can only be used once. The obligation of the company shall not exceed the sum of

FIVE THOUSAND (\$5,000.00) DOLLARS

and provided this Power-Of-Attorney is filed with the bond and retained as a part of the court records. The said A	ttorney-In-Fact is hereby authorized to insert
in this Power-Of-Attorney the name of the person on whose behalf this bond was given.	

proper for the purpose and its corporate seal to be hereunto affixed this	day of <del>_</del>	Hel-	, 19 7/	
Bond Amount \$ 5000 /00 Appearance Date 4-2/-91				
Defendant: Doran E. Hall Sc,	AS MUTUAL (A	INDIANA LUMBERMEN	S MUTUAL INSURA	ANCE COMPAN
Case # 89-CR-83-E	***************************************	$\mathcal{D}$ 1	1 -	
Court Federal City Julsa St. Ok	SEAL SEAL	G. L.	Haru	son
Offense Muf. Melasuphinines	***		President	USI-9B
Executing Agent Mafine Chentral	Todioappolit IN			

## United States District Court

	autility.	Nan	2 41211	ili e	nutt	
	Northe:	rn	DISTRICT OF	Okla	homa	
U	NITED STATES OF AM	IERICA				
			OPP	TD CERT	AMENDED	
	V.		ORDI		ING CON	DITIONS
				OF	RELEASE	
Lozan	Eugene Hall, S:	r.	Case Number	r: 89-C	R-83-E	
noran	Defendant					
170 14	OPPERED	5 <b>35</b> 1, 956 32 520				
II R	S ORDERED that the rel	ease of the defer	idant is subject to the	e following c	onditions:	
(1)	The defendant shall not case.	commit any offe	nse in violation of fe	ederal, state o	or local law whi	le on release in thi
(2)	The defendant shall imr change in address and t	nediately advise elephone numbe	the court, defense coer.	ounsel and th	ne U.S. attorne	y in writing of any
(3)	The defendant shall app	pear at all procee	edings as required a	nd shall surr	ender for service	ee of any sentence
	imposed as directed. The	e defendant shall	next appear at (if bl	ank, to be no	otified) U.S.	Courthouse
	333 West 4th	01	April 29,	1991 at	1:15 p.m	
				Date and Time		<u> </u>
	Release	e on Personal	Recognizance or	Unsecured	Bond	
IT IS	FURTHER ORDERED					
<b>V</b> ) (4)	The defendant promises to imposed.				render for service	ee of any sentence
) (5)	The defendant executes	an unsecured be	ond binding the def	endant to pa	y the United S	States the sum of
					dollars (\$	Υ.
i	n the event of a failure to	appear as requir	red or to surrender as	directed for	service of any se	entence imposed.

### **Additional Conditions of Release**

e.	) (6)	The	defendant is placed in the custody of:
60		(Nai	me of person or organization)
		(Ad	dress)
		(Cit	y and State)(Tel. No.)
appe	earance	of th	to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant additions of release or disappears.
			Signed:
			Custodian or Proxy
( x	) (7)	The	defendant shall:
. 21	( )	(a)	maintain or actively seek employment.
	( )	(b)	maintain or commence an educational program.
	(X)	(c)	abide by the following restrictions on his personal associations, place of abode, or travel:  Travel restricted to the Wichita area and the Northern District of Oklahoma.
	( )	(d)	avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:
	( )	(e)	report on a regular basis to the following agency:
	( )	(f)	comply with the following curfew:
	( )	(g)	refrain from possessing a firearm, destructive device, or other dangerous weapon.
	( )	(h)	refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.
	( )	(1)	undergo medical or psychiatric treatment and/or remain in an institution, as follows:
	( )	(j)	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:
	()		post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
	(X)	(1)	execute a bail bond with solvent sureties in the amount of \$5,000.00
	( )	(m)	o'clock for employment, schooling, or the following limited purpose(s):
	( )	(n)	surrender any passport to
	( )	(o)	obtain no passport.

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both. A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Joseph Harry Signature of Defendant 1619 E. 10<sup>TH</sup>, New TON Address KS. 316-283-1028 Telephone

#### Directions to United States Marshal

★ The defendant is ORDERED released after processing. ( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified if still in custody.

February 11, 1991 Date: \_

ignature of Judicial Officer

Effrey S. Wolfe, U.S. Magistrate Judge Name and Title of Judicial Officer

## United States District Court

NO	RTHERN	DISTRICT OF	OKLAH	OMA
U.S.A.  V.  LORAN EUGENE HALL,	SR.	CASE	NUMBER:	<b>NOTICE</b> 89-CR-83-01-E
TYPE OF CASE:	□ CIVIL	⊠ CR	IMINAL	
TAKE NOTICE That a prod	ceeding in this case h	as been set for the	place date, a	and time set forth below:
PLACE U. S. COURTHOUSE		ROOM		2
TULSA OK			IRTROOM #	2
				991, 1:15 P.M.
TYPE OF PROCEEDING				
SENTENCE				
TAKE NOTICE that the pro	oceeding in this case	has been continued	l as indicated	I below:
PLACE	DATE AND TIME PREVIOU SCHEDULED	SLY CONTIL	NUED TO, DATE ME	
		JAC	K C. SIL	VER, CLERK
			TRATE OR CLER	
2-11-91		Bev	erly McC	ullough

To: Paul Brunton
Bruce Mills
Jack Morgan
Probation

#### MINUTE SHEET - CRIMINAL

	CR. CASE NO. 89 CR-83-01-E
DATE 2/11/91 USA vs. 2010	en Eugene Hall, Sr. (AGE) 61
ARRAIGNMENT &/OI	CHANGE OF PLEA
JUDGE COOK Deputy R. Miller	Reporter Simpson
JUDGE ELLISON Deputy McCullough	Reporter Dorrough
JUDGE BRETT Deputy Overton	
MAG. WAGNER Deputy J.Miller	Recorded
MAG. WOLFE Deputy Mayes	Reporter
· · · · · · · · · · · · · · · · · · ·	Recorded
0 (0.	
Counsel for Government	1
Counsel for Defendant	B Erickson BMills!; Court Appointed; FPD
mark Ogle Retained	; court appointed; FPD
Defendant appears in person with counse	
Defendant acknowledges receipt of Indi	
Waives Indictment; jury trial; 30 days	preparation; separate representation
Waivers approved by Court	
Defendant advised of charge and arraig	
Indictment, Superseding Indictment; In	formation; Superseding Information;
Filed; read; reading waived	
Enter plea of	
Defendant withdraws plea(s) of Not Gui	
	to be dismissed at sentence
Petition to enter plea of guilty sworn facts of charge; petition (and	to and executed; Defendant relates Plea Agreement) approved and filed
Defendant adjudged guilty as charged i	n Counts/
Findings re: Plea Agreement; Made/Res	erved
Objections to PSI to be filed by	
Rule 32 hearing set	
SENTENCE SET april 29, 1991, 1:15	pm PSI ordered
Defendant allowed to stand on present	bond; Defendant remanded to USM
	and all pre-trial motions
Government to respond	
Certification of Discove	ry Disputes
Pre-trial conference & h	earing on motions at
Parties to file any sugg	ested voir dire, inst. & trial brie
Jury trial; Non-Jury tri	al at
* Aleft found competent at to	me of commission of acts of
of the time	

CR-2-6/80

· · · · · · · · · · · · · · · · · · ·	Final F
IN THE UNITED STATES DISTRICT OF	CT COURT FOR THE OKLAHOMA
UNITED STATES OF AMERICA, ) Plaintiff, )	Jack C. Silver, Clerk U. S. DISTRICT COURT
Loran Eugene Hall Sr.	Criminal Case No. 89-0R-83-01-E
Defendant. )	
WAIVER OF JURY	<u> </u>
I, the undersigned defendant, hav	ing been fully apprised of
my rights, do hereby waive a jury and	d agree to try the above-
entitled case to the Court as provide	d by Rule 23(a), Rules of
CONSENT OF GOVERNMENT:  Defenda  United States Attorney	Sugare All S
1 Jen	ey for Defendant  this day of

UNITED

JUDGE

FILED IN COURT

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

U. S. DISTRICT COURT

No. 89-CR-83-01-E

•	
Plaintiff,	PETITION TO ENTER PLEA OF GUILTY AND
vs.	ORDER ENTERING PLEA
LOREN EUGENE HALL, SR.  Defendant.	(Federal Rules of Criminal Procedure, Rules 10 and 11)
The defendant represents to the Court:	
(1) My full true name is: Los I am years of age. including against me be in my true name.	I have gone to school up to and
(2) I am represented by Paul D. Brunton	a lawyer; his/her name is:
(3) I received a copy of thupon to plead. I read the Indicamy lawyer. I fully understand ev	e Indictment before being called tment and have discussed it with very charge made against me.
(4) I told my lawyer all to to me about the charges made ag believe that my lawyer is fully i	he facts and circumstances known ainst me in the Indictment. Informed on all such matters.

)

(5) I know that the Court must be satisfied that there is a factual basis for a plea of "GUILTY" before my plea can be accepted. I represent to the Court that I did the following acts in connection with the charge(s) made against me in Count(s) I put up 17,000 to purchase chemicals to then them precessary to mountained must amphetamine in Tulsa is october the product of 1988 - I assisted that in Cooper the product of the product (In the above space defendant must set out in detail what (s)he did. If more space is needed, add a separate page.)

UNITED STATES OF AMERICA,

NOTE: If the space provided is not sufficient for a complete response, you should add an attachment and indicate an answer is made in attachment.

<sup>&</sup>quot;Indictment" also includes "Information."

- (6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.
- (7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.
- (8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".
- (9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.
- (10) Know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.
- (11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment, which, as provided by law is 20 years imprisonment and/or a fine of \$\frac{up}{up} \to \$1,000,000.00\$. My lawyer has further advised me that if the offense(s) to which I plead "GUILTY" occurred on or after January 1, 1985, the maximum fine is the largest of:
  - (a) The amount specified in law defining the offense
  - (b) Double the gross pecuniary gain derived by a defendant from the offense
  - (c) Double the pecuniary loss caused by the offense to another person

(d) Any Felony; Misdemeanor resulting in Death Other Misdemeanor punishable by more than six months

Individual Def. \$500,000 \$500,000 \$500,000

My lawyer has also advised me that a Special Monetary Assessment in the amount of \$50.00 will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least  $\frac{5}{2}$  years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seq. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

- (12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.
- (13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:

(Here insert any promises or concessions made to the defendant or to his attorney.	With a place of NOLIN TRUE of
there mast any promises of concessions made to the defendant of to his attorney.	ii the plea of "Guilly" is the result
of a plea agreement, refer to paragraph (14) of this petition.)	500 CT-9000 \$000 NOW NOW NOW NOW NOW NOW SHOW THE PERSON

	900	2021 00
Can	paragraph	7 4
200	naragrann	1 4

If anyone else, including my attorney, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.

I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".

(14) My plea of "GUILTY" is (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.

Since my plea of "GUILTY" is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:

See attached	

I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".

- (15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.
- (16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:

Guilty as changed in the indictment.

<sup>&</sup>quot;The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s) \_\_\_\_\_\_, "NOT GUILTY as charged in Count(s) \_\_\_\_\_\_."

(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are:
(If none, so state.)
(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)  FMC Rochester, Minn For competency evaluation - Found competent
See ALSO WILLIAM L. Cooper's Réport dated 1-15-91.
The state of the s
(19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.
(20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.
(21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.
Signed and Sworn to by me in open Court, in the presence of my attorney, this, 19_91
John Cyfu Hell Sign Defendant
Subscribed and Sworn to before me this

B-M'Cullough Deputy Clerk

#### CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant Paul D. Brunton , hereby certifies:

- (1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.
- (2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553 <u>et seg</u>., and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

- (3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.
- (4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.
- (5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".
- (6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

NONE

<sup>(7)</sup> I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him/her the opportunity to withdraw his/her plea of "GUILTY".

Signed by me in open Court in the presence of the defendant above named and after full discussion of the contents of this certificate with the defendant, this \_\_\_\_\_\_ day of , 19 91 . ORDER I find that the plea of "GUILTY" was made by the defendant freely, voluntarily, and because (s)he is "GUILTY" as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime(s) charged and that there is a factual basis for the pleas(s) of "GUILTY" and the defendant is mentally competent. IT IS THEREFORE ORDERED that the defendant's plea(s) of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of his/her lawyer. Done in open Court this \_\_\_\_\_ day of\_\_\_\_ 1991.

CJA 20- (Int1/88) APPOINTMENT C	FAND AU	THORITY	TO PA	AY COUF	T APPOINTED	COUNSI	EL /
1. JURISDICTION A TAPPEALS		2. MAG. DOCK			ST. CT. LET NO.		R NO.
1 MAG. 2 DIST. 4 OTHER				89	-CR-83-E		0154891
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8. IN THE CASE OF		7 7	9. PE	RSON REP	RESENTED (FULL	NAME)	9A. NO.
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Because the above-named "person represent	ed" has testified	under oath or h	nas		OF ATTORNEY/PA		
otherwise satisfied this court that he or she counsel and (2) does not wish to waive county	(1) is financially	unable to empl	оу		NG ADDRESS	ATEC AND	
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represent this person in this case	1						(a) to
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If yes, give details on additional sheets.		01/	الاست	· O	were appointed to pr	ovide represei	Itation: LI YES LINC
I swear or affirm the truth or correctness of the	/ Tor	rald C	De	nel	1		1-30-91
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CJA Worksheet Packet Page 2

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CJA Worksheet Packet

89-CR-83-E

and other work Investigative 0154891 Travel time Legal research and brief writing Voucher Numbers Case Numbers reviewing records Obtaining and ۲. ۲. Interviews and conferences 5.0 5.0 1.0 2 1.0 .2 2 C Grand Total to Enter Plea with Clien ask for Asst. assigned case client's mother -- Scheduling Order Appl to relocate to Dalla Page Total T/C with Jim Heslett, counsel for co-defendant T/C with Jack Morgan, U.S. Atty. -- no detention pre-sentence Review of letter from U.S. Probation Office sentencing sentencing - initial review T/C left word for client to call Conference with Melvin Fields-after T/C with Wanda--F.P.D's Office client's husband, RE: OUT OF COURT HOURLY WORKSHEET RE: 1 Conference with client, Review and prepare Pet. Marteney T/C with Melvin Fields client Conference with client Brief Description of Services T/C with U.S. Atty., RE: T/C with Jack Morgan client Conference with T/C with Terry T/C with Scott T/C with Soctt T/C with T/C with T/C with 1 - 26 - 900-24-89 1 - 22 - 891 - 22 - 89-29-89 1 - 22 - 891 - 22 - 891 - 26 - 900 - 24 - 890 - 31 - 890 - 24 - 8910-24-89 0 - 24 - 89-3 - 90-3 - 90-3-90 -5-90 1 - 6 - 891 - 6 - 89Date

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#### EXHIBIT "A"

#### Out of Court Dates

A. Interviews and Conferences: 10-24-89; 10-31-89; 11-6-89; 11-22-89; 11-29-89; 1-3-90; 1-5-90; and 1-26-90

FEDERAL PUBLIC DEFENDER

WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

DAVID BOOTH FEDERAL PUBLIC DEFENDER SUSAN OTTO SUPERVISORY ASSISTANT FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT & SUITE 524, 215 DEAN A. MCGEE OKLAHOMA CITY, OKLAHOMA 73102 (405) 231-5725 FTS 736-5725

NORTHERN AND EASTERN DISTRICTS 
222 SOUTH HOUSTON, SUITE C
TULSA, OKLAHOMA 74127
(918) 581-7656 FTS 745-7656

February 1, 1991

Honorable James O. Ellison
United States District Judge
for the Northern District of Oklahoma
Attn: Ms. Rosanne Miller
411 United States Courthouse
333 West 4th Street
Tulsa, Oklahoma 74103

Re: United States of America vs. Marteney, Barbara Ann Case No. 89-CR-83-E CJA Voucher No. 0154891

Dear Judge Ellison:

Mr. Ronald C. Bennett, attorney at law, was appointed to represent Barbara Ann Marteney in the above referenced cause.

Mr. Bennett informed me he has completed his service in this matter. He submitted his CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,

David Booth

DB:jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Mr. Ronald C. Bennett



## UNLED STATES DISTRICT COURT FOR 1. E NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	) JAN 22 1991 Rm
Plaintiff,	JACK C. SILVER, CLERK U.S. DISTRICT COURT
VS.	) Criminal No. 89-CR-83-01-E
LORAN EUGENE HALL, SR.,	) ) )
Defendant.	) OBA #1256 )
WAIVER O	OF SPEEDY TRIAL
COMES NOW on this //r da	y of Jan, 1991, LORAN EUGENE HALL, SR.,
Defendant in the above-captioned case, and her	reby files this waiver of speedy trial pursuant to 18 U.S.C.
§ 3161 (h) (8) (A).	Paul D. Brunton William E. Erickson Attorney for Defendant LORAN EUGENE HALL, SR. 1310 South Denver Avenue Tulsa, Oklahoma 74119 (918) 582-1993
	ATE OF DELIVERY  of

### FILED

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

JAN 3 1991 H

UNITED STATES OF AMERICA,	U.S. DISTRICT COUR
Plaintiff,	
vs.	Criminal No. 89-CR-83-01-E
LORAN EUGENE HALL, SR.,	) ) ) OBA #1256
Defendant.	) OBA #1250

#### **ORDER**

NOW, on this day of \_\_\_\_\_, 1991, this Court having read the defendant's Application for Continuance hereby acknowledges the facts as stated and grants this continuance.

JUDGE AMES O. ELLISION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA



### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA	)					
Plaintiff, vs.	)	No. 89-CR-83-E ✓	Call		gran.	(Files,
LOREN E. HALL SR.	)	OBA# 1256		menty	E	1.4
Defendant.	ý				1991	
APPLICATION	FOR	CONTINUANCE	Ja		er, Cle er cou	

COMES NOW the defendant by and through his attorney Paul D. Brunton and for this Application for Continuance states as follows:

Defendant's counsel has been in contact with the independent psychologist appointed by the Court to determine the defendant's competency to stand trial, who has informed us that his report will not be completed by the 4th of January, 1991. This delay is mostly due to the slow response by the Bureau of Prisons and Federal Medical Center (FMC) Rochester, Minnesota, in sending forth the medical records requested by the defendant. Further the defendant's counsel, Paul D. Brunton, has scheduling conflicts that have arisen and needs some additional time to resolve these conflicts and prepare this case.

A.U.S.A. Jack Morgan has no objection to this matter being continued.

Counsel would suggest that this matter continued a minimum of 30 days.

Defendant further waives his right to speedy trial.

THEREFORE counsel for the defendant requests this Honorable Court to continue the defendant's pretrial and trial now set for January 4, 1991, and January 15, 1991 respectively, until such time as the defendant's psychologist is able to complete an independent evaluation as to the defendant's competency to stand trial.

OR S

24

Further, the defendant requests continuance due to conflict in the defendant's counsel trial schedule.

OBA# 1256 OBA#13102

WILLIAM E. ERICKSON Attorney for Defendant

LORAN E. HALL SR. 1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

#### CERTIFICATE OF DELIVERY

Now on this \_\_\_\_\_ day of\_\_\_\_\_, 1991, the defendant delivered a true and correct copy of the above and foregoing Application for Continuance to A. U. S. A. Jack Morgan, 333 West Fourth Street, Tulsa, Oklahoma 74103,

William E. Erickson

#### UNITED STATES DISTRICT COULCT

NORTHERN DISTRICT OF OKLAHOMA
CLERK'S OFFICE
UNITED STATES COURT HOUSE
TULSA, OKLAHOMA 74103

JACK C. SILVER CLERK November 26, 1990

(918) 581-7796 (FTS) 745-7796

RECEIVED

DEC 3 1990

Ralph DeLoach 204 U S Courthouse 401 North Market Street Wichita, Kansas 67202 JACK C. SILVER, CLERK U.S. DISTRICT COURT

Re: Michael Steven Hall Our #89-CR-83-06-E Transfer of Jurisdiction

Dear Mr. DeLoach:

In compliance with the Rules of Criminal Procedure, I am enclosing a certified transcript of proceedings in the above case.

Please acknowledge receipt of this transcript on the enclosed copy of this letter and return in the self-addressed envelope.

Yours truly,

JACK C. SILVER, CLERK

Deputy Clerk

Documents received //-

or B Stinson

90-10016A-C

	6 I	LED	
PROB 22 (Rev. 2/88)		DOC	KET NUMBER (Tran. Court)
	NAV	2 6 1990 89	-CR-83-06
TRANSFER OF JURISDIC	CTION		KET NUMBER (Rec. Court)
	Jack C.	///	KET NOWBER (Hec. Court)
	U.S. DIS		
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE	DISTRICT	DIVIS	SION
Michael Steven Hall	Northern Okla	homa C	riminal
1619 E. 10th	NAME OF SENTENCING		LIMITIAL
Newton, Kansas 67114		,000	
	The Honorable		lison
	DATES OF AND	FROM	ТО
	SOFERVISED RELEASE	10/9/90	10/8/95
OFFENSE		10/9/90	10/6/93
Title 21:USC:346; 841(a)(1) Conspiracy to Manufacture, Possess With Intent to Distribute Methamphetamine (Count One)			
PART 1 - ORDER TRANSFERRING JURISDICTION			2
UNITED STATES DISTRICT COURT FOR THE Northern DISTRICT COURT F	STRICT OF Oklahom	a	
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the			
11/7/90 Date	Unite	d States District Ju	lion

\*This sentence may be deleted in the discretion of the transferring Court.

PART 2 · ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE \_

DISTRICT OF \_\_ Kansas

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

United States District Judge

PRO	B 22	
(Rev	2/88)	

89\_CP\_83\_06

TRANSFER OF JURISDIC	CTION NUY	26 1990	09-CR-03-00
THANGI EN OF JOHIODIC	CHON		DOCKET NUMBER (Rec. Court)
	Jack C.	Silver, Cle	rk
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE	DISTRICT U.S. DIST	RICT COU	VISION
Michael Steven Hall			
1619 E. 10th	Northern Oklah		Criminal
Newton, Kansas 67114	NAME OF SENTENCING	JUDGE	
	Who Henrich la	T 0	D111
	The Honorable	FROM	
	SUPERVISED RELEASE	FROM	ТО
		10/9/90	10/8/95
OFFENSE		10/3/30	10/0/33
Title 21:USC:346; 841(a)(1)			
Conspiracy to Manufacture, Possess With Ir	ntent to Distrib	ute Methai	mphetamine
(Count One)			
DART 1 ORDER TRANSFERRING WIRISHING			
PART 1 - ORDER TRANSFERRING JURISDICTION			
LINITED STATES DISTRICT COURT FOR THE Northern	Oklaho	omo.	
UNITED STATES DISTRICT COURT FOR THE NOTTHETT	STRICT OF	Jilia	
IT IS HEREBY ORDERED that pursuant to 1 or supervised releasee named above be transfer States District Court for the <u>District of Kansaorder of acceptance of jurisdiction</u> . This Court probation or supervised release may be change made without further inquiry of this court.*	rred with the reco as t hereby expressly	rds of this	Court to the United upon that Court's that the period of
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11/2/20	/ house	Ann.	`
Date	Unite	d States Distr	ict Judge
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION	WAR THE TAXABLE PARTY OF TA		
TAME CIDEN ACCEPTING SCHOOLCHON			
UNITED STATES DISTRICT COURT FOR THE DIS	STRICT OF Kansas	3	
IT IS HEDERY ORDERED that had a line			
IT IS HEREBY ORDERED that jurisdiction			
releasee be accepted and assumed by this Cou	irt from and after	the entry	of this order.

11-20-90 Effective date

/S/SAM A CROW
United States District Judge

#### UNITED STATES DISTRICT COUR

NORTHERN DISTRICT OF OKLAHOMA
CLERK'S OFFICE
UNITED STATES COURT HOUSE
TULSA, OKLAHOMA 74103

JACK C. SILVER

November 26, 1990

(918) 581-7796 (FTS) 745-7796

Ralph DeLoach 204 U S Courthouse 401 North Market Street Wichita, Kansas 67202

> Re: Michael Steven Hall Our #89-CR-83-06-E Transfer of Jurisdiction

Dear Mr. DeLoach:

In compliance with the Rules of Criminal Procedure, I am enclosing a certified transcript of proceedings in the above case.

Please acknowledge receipt of this transcript on the enclosed copy of this letter and return in the self-addressed envelope.

Yours truly,

JACK C. SILVER, CLERK

y. Comm

Deputy Clerk

Documents	received	 ,
Ву		

## Jack C. Silver, Clerk

U.S. DISTRICT COURT

#### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff.

NO. 89-CR-83-E

VS.

LORAN E. HALL SR.

Defendant.

**ORDER** 

day of Mounts, 1990 this matter having come before me the undersigned Judge of the U.S. District Court for the Northern District of Oklahoma on the defendant's application for an order to expedite the delivery of Defendant's medical records.

THEREFORE this Court having read the application finds that the U.S. Department of Justice should be and are hereby ordered to expedite delivery of Defendant's medical records to the defendant's counsel for use by Dr. Cooper in his psychological evaluation of the defendant, Loran E. Hall Sr.

> JUDGE OF THE UNITED COURT FOR THE NORTHERN DISTRICT

OF OKLAHOMA

#### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MOV 2 1990 0

UNITED STATES OF AMERICA,	Jack C. Silver, Clerk
Plaintiff,	U.S. DISTRICT COURT
vs.	) Criminal No. 89-CR-83-01-E
LORAN EUGENE HALL, SR.,	)
Defendant.	) OBA #1256 )

#### **ORDER**

JUDGE JAMÆS O. ELLISION UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA



IN THE UNITED STATES THE NORTHERN DIST	S DISTRICT COURT FOR $I$ $L$ $E$ $D$
UNITED STATES OF AMERICA	Jack 6 1 1997 OCT
Plaintiff,	U.S. DISTRICT COURT
VS.	) No. 89-CH-83-E / CORT
LOREN E. HALL SR.	)
Defendant.	) )

#### **APPLICATION FOR CONTINUANCE**

COMES NOW the defendant by and through his attorney Paul D.

Brunton and requests this Honorable Court to continue the trial of Loren E. Hall Sr. for purposes of completion of his independent evaluation as to his competency to stand trial.

Counsel has requested medical records of his evaluation at the Federal Medical Center (FMC) Rochester, Minnesota, from approximately June 1, 1990 to September 1, 1990. As of the date of this Application of these reports have not been forwarded to the defendant's counsel. An Application for a Court Order for the Bureau of Prisons to expedite delivery of these records has been filed for the Court's consideration. Thus, without these reports a proper evaluation can not be completed at this time.

Further, defendant's counsel, Paul D. Brunton, is scheduled to start a Federal Jury trial in the Eastern District of Oklahoma in Muskogee, Oklahoma the morning of November 5, 1990 at 9:30 a.m.

A. U. S. A. Jack Morgan has no objection to the continuance of this matter.

THEREFORE counsel for the defendant requests this Honorable Court to continue the defendant's pretrial and trial now set for November 5, 1990 at 10:30 a.m.

5

and November 19, 1990 at 9:30 a.m. respectively, until such time as these medical records are received by the defendant's counsel and the defendant's psychologist for purposes of completion of the defendant's independent evaluation as to his competency to stand trail. Further, the defendant requests continuance due to conflict in the defendant's counsel trial schedule.

PAUL D. BRUNTON

OBA# 1256

WILLIAM E. ERICKSON

OBA#13102

Attorney for Defendant' LORAN E. HALL SR.

1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

#### **CERTIFICATE OF MAILING**

I hereby certify on this day of Mol., 1990, that I mailed, postage prepaid, a copy of the above and foregoing Application for Continuance to A. U. S. A. Jack Morgan, 333 West Fourth Street, Tulsa, Oklahoma 74103.

Paúl Ď. Brunton

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	)
Plaintiff,	FILED
	NO. 89-CR-83-E
vs.	OCT 30 1990 B
LODAN E HALL OD	) OBA NO. 1256
LORAN E. HALL SR.	Jack C. Silver, Clerk
Defendant.	Jack C. Silver, Clerk U.S. DISTRICT COURT

# APPLICATION FOR AND ORDER OF THE COURT FOR THE U.S. GOVERNMENT TO EXPEDITE DELIVERY OF THE DEFENDANT HALL'S MEDICAL RECORDS

COMES NOW the defendant by and through his counsel of record Paul D.

Brunton and William E. Erickson and requests this Court to order the the *U.S.*Department of Justice to expedite the delivery of the medical records of Loran E. Halls Sr. to the defendant's counsel.

Defendant was examined under the court's order at the Federal Medical Center, Rochester, Minnesota, during the Summer of 1990. These records have been requested as of this time and the records center in Rochester has passed the request on to the *U.S.Department of Justice*. (See Attached)

The Court on October 4, 1990 appointed Dr. William Cooper for an independent evaluation of the defendant at the request of the defendant's counsel.

These records from the *U.S.Department of Justice* are necessary for the proper evaluation of the defendant Hall by Dr. Cooper and counsel, and without them the disposition of this matter would be severely hampered and delayed. As of the time of this Application the records have not been delivered.

1/1

**THEREFORE** Defendant would request the Court issue an order to the *U. S.*Department of Justice requesting the expeditious delivery of these medical records to the defendants counsel for the use by Dr. Cooper in evaluation Loran E. Hall Sr.

PAUL'D. BRUNTON

WILLIAM E. ERICKSON

OBA# 1256

OBA # 13102

Attorney for Defendant LORAN E. HALL SR.

1310 South Denver Avenue Tulsa, Oklahoma 74119

#### CERTIFICATE OF DELIVERY

I certify that I hereby delivered a copy of this Application For An Order Of The Court For the U.S. Government To Expedite Delivery Of The Defendant Hall's Medical Records to A. U. S. U. Jack Morgan, U. S. Attorney's Office, 333 West 4th Street, Tulsa, Oklahoma 74103.

PÁUL D. BRUNTÓN WILLIAM E. ERICKSON Paul D. Brunton Attorney at Law 1310 South Denver Avenue Tulsa, Oklahoma 74119 (918) 582-1993 FAX (918) 582-1991

September 25, 1990

Federal Medical Center P.O. Box 4600 Rochester, Minnesota 55903-4600

ATTENTION: Medical Records

Re: Loren E. Hall Sr. No. 05256031

To Whom It May Concern:

We represent Loren E. Hall Sr. in the criminal matters now pending against him in the District Court of the Northern District of Oklahoma in Tulsa, Oklahoma. Mr. Hall was sent to your facility for an evaluation as to his competence to stand trial.

We are writing to request the medical records in your custody on Mr. Hall. Enclosed is a signed medical release by him. We are now requesting the court have an independent evaluation done here in the Tulsa area, as is allowed by law, and need these records for the local doctor.

Your prompt attention to this matter would greatly be appreciated.

Sincerely,

William E. Erickson For Paul D. Brunton

Attorney for Loren E. Hall

WEE:zs

Enclosure



## 0CT 10 1990

#### U.S. I artment of Justice

## Federal Bureau of Prisons Federal Medical Center

P.O. Box 4600 Rochester, MN 55903-4600

Date: October 3, 1990

To: Mr. Paul D. Brunton

Attorney at Law

1310 South Denver Ave. Tulsa, Oklahoma 74119

RE: Your Reference: Loren E. Hall Sr. No. 05256031

Our Reference: Hall, Loren Eugene Sr. Reg. No. 05256-031

The Mayo Clinic has forwarded your request for medical information on the above named individual to our office for response.

The request to furnish information concerning the above named individual has been received and the following checked item is applicable:

	The above named former patient and all records were transferred to:
X	We are forwarding your request to the Office of General Counsel, Bureau of Prisons, 320 First St. N.W., Room 912, Washington, D.C. 20534 for handling. Please address any future questions to their office.
	The records on this former patient have been sent to storage. We will answer your request as soon as the records have been acquired.
: *	We are unable to identify this individual. Please furnish additional information, such as date of birth, date of admission/and or date of discharge, alias or verified spelling of the name.
	Medical information is confidential by law and may be released only upon written consent of the patient or former patient. If you will forward a

\_\_\_\_ The information requested is enclosed. Its confidentiality must be protected.

signed consent form authorizing the release, we will process your request.

Should you have any questions regarding your request please feel free to contact our office.

Medical Records Department

## meinorandum

DATE: October 3, 1990

REPLYTO Medical Records Department

FEDERA MEDICAL CENTER ROCHESTER, MN

SUBJECT: Request for Medical Information

RE: Hall, Loran Eugene Sr.

Reg. No. 05256-031

то: Office of General Counsel Central Office

Enclosed is a copy for release of medical information received at  ${\sf FMC}$  Rochester.

As per Bureau policy, I am forwarding this request to you for handling.

If you have any questions, please contact us at FTS 787-1110, extension 472.

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

OCT 19 1990 B

WITTER GENERAL OF AVERTAL	Jack C. Silver, Clerk
UNITED STATES OF AMERICA,	) I's DISTRICT COURT
Plaintiff,	<b>\</b>
vs.	No. 89-CR-83-01-E
LORAN EUGENE HALL, SR.,	)
Defendant.	<b>,</b>

#### ORDER

The Court, having examined the reasons set forth by the Defendant for continuance, and the Plaintiff having no objections thereto, finds that said continuance should be granted for the reasons set forth by the Defendant; and that the ends of justice are served by granting the continuance; and that the ends of justice outweigh the best interest of the public in a speedy trial.

The jury trial, heretofore set for October 15, 1990 is stricken and reset for November 19, 1990 at 9:30 a.m. The period between October 15, 1990 and November 19, 1990 shall be considered excludable under the provisions of the Speedy Trial Act, Title 18, U.S.C. §3161(h)(8). Pre-trial is scheduled Movember 5, 1990 at 10:30 o'clock A.m.

ORDERED this 1990 day of October, 1990.

JAMES 9. ELLISON

UNITED STATES DISTRICT JUDGE



#### U.S. Department o Justice

#### Federal Bureau of Prisons

#### Federal Medical Center

June 11, 1990

P.O. Box 4600 Rochester, MN 55903-4600

Honorable James O. Ellison United States District Judge Northern District of Oklahoma Tulsa, Oklahoma 74103

> RE: HALL, Loren E. Reg. No.: 05256-031 Docket No.: 89-Cr-83-E

Dear Judge Ellison:

Your Order dated May 31, 1990, committed Mr. Hall to the custody of the Attorney General for examination and evaluation pursuant to Title 18, United States Code, Sections 4241(b) and 4242. The provisions of these statutes permit commitment for 45 days to complete an evaluation and submit a written report to the Court.

Mr. Hall arrived at the Federal Medical Center on June 6, 1990. The Mental Health staff at the Federal Medical Center require 45 days of contact with a person to complete the testing and examinations necessary to develop a history, diagnosis and opinion. In consideration of the time required to complete a thorough evaluation, your Order has been interpreted so that the 45 day evaluation period commenced upon Mr. Hall's arrival at the Federal Medical Center. The report you ordered will be submitted to you by July 20, 1990. If your Order has been incorrectly interpreted we respectfully request that you advise us as soon as possible, so that we may formally request an extension if necessary.

Additionally, we must have all the information available regarding Mr. Hall. Please direct pre-trial services, defense counsel and the United States Attorney's office to forward all this information to us.

If you have any questions or concerns about his evaluation, please contact me at FTS 787-1500.

Sincerely,

Peter M. Carlson, Warden

cc: Mr. Jack Morgan, Assistant U. S. Attorney Northern District of Oklahoma

FILED OCT 5 1990 0<sup>9</sup>

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk

UNITED STATES OF AMERICA,	)
Plaintiff,	) ) ) No. 89-CR-83-E ✓
vs.	)
LORAN E. HALL SR.	)
Defendant.	) )

# ORDER APPOINTING A PSYCHIATRIST OR PSYCHOLOGIST FOR AN INDEPENDENT EVALUATION AND COMMITMENT TO A SUITABLE FACILITY

The Court having read the application and notes that the United States Attorney's Office has no objection to said application finds that it should be granted.

THEREFORE it is ordered that an independent psychiatrist, Dr. William Cooper, or a psychologist be appointed for the purposes of an independent evaluation as to the defendant's competency to stand trial and his commitment to a suitable facility for thirty days for purposes of such evaluation.

JUDGE OF THE UNITED STATES DISTRICT

OF OKLAHOMA



M

IN THE UNITED STATES THE NORTHERN DISTR	DISTRICT COURT FOR
UNITED STATES OF AMERICA	OCT -2 1990
Plaintiff,	) JACK C. SILVER, CLERK U.S. DISTRICT COURT
VS.	) No. 89-CR-83-E √ )
LOREN E. HALL SR.	) )
Defendant.	) )

#### MOTION FOR CONTINUANCE

COMES NOW the defendant by and through his attorney Paul D. Brunton and request this honorable court to continue the trial of Loren E. Hall Sr. for purposes of independent evaluation as to his competency to stand trial.

Counsel has requested medical records of his evaluation at the Federal Medical Center (FMC) Rochester, Minnesota, from approximately June 1, 1990 to September 1, 1990. Mr. Hall's medical records from his military mental and physical evaluations have also been ordered from the Veterans Administration Center in St. Louis. As of the date of this Motion none of these reports have been forwarded to the defendant's counsel ( see attached). Thus a proper evaluation can not be accomplished at this time.

A. U. S. A. Jack Morgan has no objection to the continuance of this matter.

THEREFORE counsel for the defendant request this honorable court to continue the defendant's trial of October 15, 1990 until such time as some medical records are received by the defendants counsel in an independent evaluation as to his competency to stand trail can be accomplished.

5

PAUL D. BRUNTON
Attorney for Defendant
LORAN E. HALL SR.
1310 South Denver Avenue
Tulsa, Oklahoma 74119
(918) 582-1993

#### CERTIFICATE OF MAILING

I hereby certify on this Aday of Aday

Paul D. Brunton

Paul D. Brunton
Attorney at Law
1310 South Denver Avenue
Tulsa, Oklahoma 74119
(918) 582-1993
(918) 582-1991 FAX

September 24, 1990

Dr. James W. Thrasher c/o Federal Medical Center P.O. Box 4600 Rochester, Minnesota 55903460

> Re: Loren E. Hall Sr. No. 05256-031

Dear Dr. Thrasher:

Please be advised that I represent Loren E. Hall Sr. on his Federal criminal charges pending in the District Court in the Northern District of Oklahoma in Tulsa, Oklahoma. We are requesting the Court order an independent evaluation be done as to his competence to stand trial.

I have requested his medical records from your facility but would appreciate a letter or a report from you personally as to the time period involving about three days when Mr. Hall had a reaction to a change in medication. Mr. Hall said you changed his medication and possibly there was a reaction with the new medication and his lithium. Please give us an explanation as to what transpired over this period of time so we can forward this on to our local doctor.

We would greatly appreciate you prompt response in this matter.

Sincerely,

Paul D. Brunton

Attorney for Loren E. Hall

PDB: zs

Paul D. Brunton Attorney at Law 1310 South Denver Avenue Tulsa, Oklahoma 74119 (918) 582-1993 FAX (918) 582-1991

September 25, 1990

Federal Medical Center P.O. Box 4600 Rochester, Minnesota 55903-4600

ATTENTION: Medical Records

Re: Loren E. Hall Sr. No. 05256031

To Whom It May Concern:

We represent Loren E. Hall Sr. in the criminal matters now pending against him in the District Court of the Northern District of Oklahoma in Tulsa, Oklahoma. Mr. Hall was sent to your facility for an evaluation as to his competence to stand trial.

We are writing to request the medical records in your custody on Mr. Hall. Enclosed is a signed medical release by him. We are now requesting the court have an independent evaluation done here in the Tulsa area, as is allowed by law, and need these records for the local doctor.

Your prompt attention to this matter would greatly be appreciated.

Sincerely,

William E. Erickson For Paul D. Brunton

Attorney for Loren E. Hall

WEE:zs

Enclosure

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	FILED
Plaintiff,	No. 89-CR-83-E / 007 1 1890 00
VS.	Jack C. Silver, Clerk U.S. DISTRICT COURT
LORAN E. HALL SR.	U.S. DISTRICT COURT
Defendant.	}

# APPLICATION FOR THE APPOINTMENT OF PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATION TO DETERMINE COMPETENCY TO STAND TRIAL AND BRIEF IN SUPPORT

**COMES NOW** the defendant by and through his counsel Paul D. Brunton to request this court to appoint an independent psychiatrist or psychologist for a second evaluation to determine his competency to stand trial and to commit said defendant for up to thirty days in a suitable facility for purposes of this evaluation.

Counsel for the defendant by and through his attorney Paul D. Brunton pursuant to 18 U.S.C. § 4247b request's this court to appoint an independent psychiatrist or psychologist to conduct an independent second evaluation as to the defendant Hall's mental competency to stand trial. The defendant pursuant to 18 U.S. C. § 4247b and 4241 states that commitment to a suitable facility for up to thirty days is allowed for such a evaluation. Mr. Hall was evaluated at a federal facility in Minnesota and determined to be competent to stand trial. Counsel now request that the independent evaluation be done by Dr. William Cooper, an Oklahoma licensed psychologist, to further determine his competency to stand trial.



THEREFORE the defendant respectively request this court to appoint an independent psychiatrist or psychologist for an evaluation as to the defendants competency to stand trial and commit said defendant to suitable facility for such purpose.

PAUL D. BRUNTON
Attorney for Defendant
LORAN E. HALL SR.
1310 South Denver Avenue
Tulsa, Oklahoma 74119
(918) 582-1993

#### CERTIFICATE OF MAILING

Paul D. Brunton

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,

Plaintiff.

VS.

LORAN EUGENE HALL, SR.,

Defendant.

SEP 2 6 1990 S

Jack C. Silver, Clerk
U. S. DISTRICT COURT

ack C. Silver, Clerk S. DISTRICT COUR

ORDER PURSUANT TO 18 U.S.C. §§ 4241 AND 4242

This matter came before the court on defendant Loran Eugene Hall, Special psychiatric or psychological examination to determine whether the defendant is presently mentally competent and whether defendant was sane at the time of the offense. After having considered the unopposed motion and being otherwise duly advised in the premises, the Court orders:

- 1. A federal medical center for prisoners shall be designated as a facility at which defendant Loran Eugene Hall, Sr. shall be examined psychiatrically or psychologically to determine whether he is presently suffering from a mental disease or defect rendering him incompetent:
  - A. To the extent that he is unable to understand the nature and consequences of the proceedings against him; or,
  - B. To assist properly in his defense.
- 2. In addition to the examination for the purposes described in paragraph 1 above, the defendant shall also be examined to determine whether under the test set out in 18 U.S.C. § 17, that he was insane at the time of the offense.
- 3. The United States Marshall Service shall transport the defendant to the appropriate facility for the examination.
- 4. After the completion of the examination, a written report shall be filed with the court pursuant to 18 U.S.C. § 4247(b) and made available to counsel for the parties.

5. Any periods or delay resulting from these proceedings are excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A).

Signed this 3/51 day of \_\_\_\_\_\_\_\_\_

1990.

JAMES Ø. ELLISON

UNITED STATES DISTRICT JUDGE

United States District Court )
Northern District of Oklahoma )

I hereby certify that the foregoing is a true copy of the original on file in this Court.

Jack C. Silver, Clerk

By O Setterman

RCHD1 535\*08 \* FEDERAL BUREAU OF PRISONS PAGE 001 OF 001 \* CMC CLEARANCE AND SMARKATER TOATA This order is partial REGISTER NO: 05256-031 NAME: byladelivery Loren Hall SR

09-10-1990

09:09:16

as directed on 6-5-90

to FCIELRENO Trum Julsa Ce For further removalities MCFP Kathalia NAME UFSI\_MARSHBOW N/D/ORDYAMPIMA

ARS QTR TIME ASSIGN

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05255-031 HALL

LAST NAME

REGISTER

NUMBER

RCH A-PRE

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06-06-1990 1142 1/2 02 REMARKS: 6/4/90, CO/DMM, DESIG RCH-109 FOR THIS 4241/42 MENT COMP CASE

him/her to Transfer Order, by taking custody of the within I have partially/fully executed this Writ/J&C

United States District Court ) Northern District of Oklahoma ) I hereby certify that the foregoing is a true copy of the original on file in this Court.

Jack C. Silver, Clerk

Deputy

U.S. MARHALS RETURN This order is partially/executed as directed by delivery LAREN HALL SR on 9-12-90 to USM NOOK from FCI EL Roro. For further repoval to

Marshal, N/D/Oklahoma DUSM

#### FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA AUG 15 1990

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN E. HALL, SR.

Defendant.

Jack C. Silver, Clerk

Case No. 89-CR-83-E

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this case is hereby set for competency hearing and pretrial conference on September 5, 1990 at 9:30 a.m. Jury trial is set on September 17, 1990, 9:30 a.m.

JUDGE JAMES O. ELLISON

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

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UNITED STATES OF AMERICA,	JACK C. SILVER, CLERK U.S. DISTRICT COURT
Plaintiff,	
VS.	No. 89-CR-83-E
LORAN EUGENE HALL, SR.,	OBA #1256 OBA #8308
Defendant.	)

# BRIEF IN SUPPORT OF UNOPPOSED MOTION FOR PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATION

The defendant Loran Eugene Hall, Sr. has been indicted on a charge of conspiracy to violate the drug laws, has been arraigned, and is awaiting trial.

Counsel has been informed that the defendant has a long history of psychological and psychiatric problems. We are further advised that as recently as 1985, the VA Hospital in Kansas diagnosed the defendant to have various mental diseases and/or defects. After several interviews with the defendant, counsel believe the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him, or to assist properly in his defense.

In addition, find attached hereto marked <u>EXHIBIT A</u> an affidavit of R. K. Pernell, Deputy Sheriff and jailer, attesting to his opinion of the defendant's current mental status. Finally, Sheriff's deputies have advised counsel that the defendant is currently receiving lithium, dilantin, and phenobarbital.

Before further proceedings take place, counsel believe it would be appropriate to have the defendant examined pursuant to 18 U.S.C. §§ 4241 and 4242 to determine whether the defendant is mentally competent to understand the nature and consequences of the proceedings against him, or to assist properly in his defense, and to determine whether he was insane at the time of the offense.

Therefore, counsel for defendant request that such an examination be conducted and that a report be provided to the Court pursuant to 18 U.S.C. § 4247(b) and that a copy of the report be

made available to counsel for the parties. The requested examination can be performed at a federal medical center for prisoners.

The motion for psychiatric or psychological examination is not opposed by AUSA Jack Morgan, counsel for plaintiff.

Respectfully submitted,

PAUL D. BRUNTON

OBA #1256

ALLEN M. SMALLWOOD

OBA #8308 Court-Appointed Counsel for Defendant

LORAN EUGENE HALL, SR.

1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993 (918) 582-1991 FAX

#### CERTIFICATE OF DELIVERY

I hereby certify that on this <a>I</a> day of <a>I</a>, 1990, a true and correct copy of the above and foregoing Brief in Support of Unopposed Motion for Psychiatric or Psychological \_, 1990, a true and correct Examination was delivered to the AUSA Jack Morgan, U.S. Attorney's Office, Federal Building, 333 West Fourth Street, Tulsa, Oklahoma 74103.

> PAUL D. BRUNTON ALLEN M. SMALLWOOD

IN RE: THE PROTECTIVE CUST	Y OF
LORAN EUGENE HALL, SR.	

PMH	

#### PEACE OFFICER'S AFFIDAVIT FOR EMERGENCY DETENTION

I, the undersigned peace officer, being first duly sworn, declare:
That I am a member of law enforcement agency with the State of Oklahoma.
That on the 30 <sup>TH</sup> day of MAY 19 90, I observed (name) HALL, LORAN E. at (location) TULSA COUNTY JAIL in TULSA County, Oklahoma, and that at 1400 hrs. o'clock, R. m. he/she was taken into protective custody.
That the basis for taking this person into protective custody was *
ON THE 30TH day of MAY 1990 AT Approx. 1400hr
I WITNESSED MR. HALL, LORAN EUGENE SR. CRYING
AND LOSING CONTROL. I HAVE KNOWN MR. HALL
SINCE APRIL 17, 1990 AND AT THIS TIME, I
FEEL THAT MR. HALL IS BECOMING A THREAT
TO himself AND THAT MR. HALL should be
UNDER CLOSE OBSERVATION AND PROFESSIONAL CARE
That upon such basis, I am of the opinion that this person is a person requiring treatment, to a degree that immediate emergency action is necessary, and should be held in emergency detention, as provided by The Mental Health Law of the State of Oklahoma.  Signature of Peace Officer
TULSA COUNTY SHERIFF'S DEP Identity of Law Enforcement Agency
Subscribed and sworn to before me, this 31 day of May, 19 90.
My commission expires august 26, 1990 Seanna Cook Notary Public
*Describe activity or incident personally observed by officer which formed the basis for the officer's opinion and action. If based on an affidavit of a third person, instead of personal observation, so state.



# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA



OBA #1256

**OBA #8308** 

UNITED STATES OF AMERICA,	JACK C. SILVER, CLERK U.S. DISTRICT COURT
Plaintiff,	
VS.	No. 89-CR-83-E
LORAN EUGENE HALL, SR.,	OBA #1256
Defendant.	OBA #8308

# UNOPPOSED MOTION FOR PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATION

The defendant Loran Eugene Hall, Sr.'s court-appointed counsel, Paul D. Brunton and Allen M. Smallwood, move the Court pursuant to 18 U.S.C. §§ 4241 and 4242 for an order directing that a psychiatric or psychological examination or Mr. Hall be performed to determine whether he is mentally competent to stand trial and whether he was insane at the time of the offense.

In accordance with Local Rule 15(F), a brief in support of this Motion is being submitted contemporaneously with the motion. A proposed order is included for the Court's convenience.

Respectfully submitted,

PAUL D. BRUNTON

ALLEN M. SMALLWOOD

Court-Appointed Counsel for Defendant

LORAN EUGENE HALL, SR.

1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

(918) 582-1991 FAX

010

#### **CERTIFICATE OF DELIVERY**

I hereby certify that on this $31$ day of

PAUL D. BRUNTON ALLEN M. SMALLWOOD FEDERAL PUBLIC DEFENDER
WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

DAVID BOOTH FEDERAL PUBLIC DEFENDER

SUSAN OTTO SUPERVISORY ASSISTANT FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT 

SUITE 524, 215 DEAN A. McGEE

OKLAHOMA CITY, OKLAHOMA 73102

(405) 231-5725 FTS 736-5725

. 1

June 1, 1990

NORTHERN AND EASTERN DISTRICTS 
222 SOUTH HOUSTON, SUITE C
TULSA, OKLAHOMA 74127
(918) 581-7656 FTS 745-7656

Honorable James O. Ellison
United States District Judge
for the Northern District of Oklahoma
Attn: Ms. Rosanne Miller
411 United States Courthouse
333 West 4th Street
Tulsa, Oklahoma 74103

Re: United States of America v. Ladd, David Case No. 89-CR-83-E CJA Voucher No. 0154895

Dear Judge Ellison:

Mr. John E. Dowdell, attorney at law, was appointed to represent David Ladd in the above referenced cause.

Mr. Dowdell informed me he has completed his services in this matter. He submitted his CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,

Susan M. Otto

Supervisory Assistant Federal Public Defender

SMO: jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Mr. John E. Dowdell

	Pantin (	2/2.	RECEIVED	25 Aygust 89
	Captain (	nerry,	AU6 2 8 1989	
	Dear	Lii.	JACK C. SILVER, CLERK U. S. DISTRICT COURT	
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THOI ( HOLD IN 12 18 16 )	FOKIAhama FILE
	AU 0 23 1989
UNITED STATES OF AMERICA.	Jack C. Silver, Cl US. DISTRICT CO
PlainTIFF.	3
Vs.	No. 89-CR-83-06-
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Loren Eugene Hall Jr.,	<u> </u>
DeFENDANTS	>
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and the same	
Changing his condition  Dependant has	been anable To Meet
Changing his condition.  Defendant has  The conditions previously.	been unable To Meet ret and Remains in Custody
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Changing his condition  Dependent has  The conditions previously.  At the Tylsa County.  A brief in supp  being filed simultal	been unable to Meet ret and Remains in Custody Tail oft of this metion is
Changing his condition  Dependent has  The conditions previously.  At the Tylsa County.  A brief in supp  being filed simultal	been unable to Meet ret and remains in Custody Jail oft of this motion is vexusly with the Motion. Vexusly with the Motion.

C'our's Copy

#### Respectfully Submitted,

Loren Eugene Hall Jr.
Client of Federal Public
Defender, Jim H. Heslet
Attorney at Law
5'5'61 S. Lewis, Suite 200
Tulsa, OKlahoma 74105
(918) 747-1058

#### Certificate of Sorvice

I hereby certify that on this

The 25 nd day of August, 1989, I Caused

A True and correct copy of this brief

in support of Motion for change of

conditions of Release To be hand

delivered to the office of Mr. Jack Morgan,

Subscribes + sween to Sugar Mail Jr.

Subscribes + sween to Sugar me
this 25 y lug. 1989

Mylonnise Eugen 11-18-90 Noting Palle

 INITED STITE DISTRICT C T
UNITED STATES DISTRICT COURT FOR THE NORTHEN DISTRICT OF OK/AhomA
UNITED STATES OF
AMERICA, PAINTIFF.
No. 89-CR-83-06-E
 VS.
Loren Eugene Hall Jr.
 Loren Eugene Hall Jr. ?  ET.AL.,  Defendants
Defendants )
 Pinion True
Breef in Support of MOTION for Change in Conditions of Release
The dependant, Loren Eugene Hall Jr., without
 counsel, has moved for an order changing his Conditions
OF RElease. Parsuart Local Rule 15 (A), This brief
is being submitted in support of that motion.
1) Dependant has previously been determined
by This court To be indigent and ENTITLEd To the
 appointment of Counsel under The Criminal Justice
ACT, 18 U.S.C. § 3006 A;
2) CONDITIONS of Release have previously been
set by this court. ONe of the conditions requires
That dependant post a \$25,000 == Corporate Sunty Bond;
(CanTinued)

3) DeFendant is Financially unable to post
The previously Referenced Corporate Surety Bond
and Remains in the custody of the United States
Marshal Service AT The Tulsa County Jail;
4) DeFENDANT Submits That CONTrary To
18 U.S.C. § 3142 (c) (2), The judicial officer
has imposed a Financial condition that has
Resulted in pretrial detention of dependent; And,
5) DeFENDANT Submits That pursuaNT 18
U.S.C. & 3142 (c) (1) NON-FINANCIAL CONDITIONS
CAN be imposed That will Resonably Assure
The Appearance of dependant as required.
 Danger To the Safety of any other person
or the community is NOTAT issue.
Based on the preceding, The
dependant respectfully requests that
a hearing be schedualed for the
RECONSIDERATION OF DEFENDANTS' CONDITION
or Release.
op nervae d
(continued)

cours copy

Respectfully Subuitled,

Loren Eugene Hall Tr.

Client of Federal Public

Defender Jim H. Hestet

Attorney AT LAW

SSGI S. Lewis, Suite 200

Talsa, OKlahoma 74/05
(918) 747-1058

#### Cetificate of Service

I hereby cortify that an this

The 25th day of August, 1929, I caused

A True and correct copy of this Motion

For Change of Conditions of Release To

be Hand delivered To the office of

Mr. Jack Morgan, Assistant United

States Attorney, Counsel for Phintipp

Joseph Eugene Halfa

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Loren Eugene Hall Je.

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# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,	( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )
Plaintiff,	Jack C. Silver, Clerk
VS.	No. 89-CR-83-E VILS. DISTRICT COURT
LORAN EUGENE HALL, \$R.,	)
Defendant.	

#### ORDER PURSUANT TO 18 U.S.C. §§ 4241 AND 4242

This matter came before the court on defendant Loran Eugene Hall, Sr.'s motion for a psychiatric or psychological examination to determine whether the defendant is presently mentally competent and whether defendant was sane at the time of the offense. After having considered the unopposed motion and being otherwise duly advised in the premises, the Court orders:

- 1. A federal medical center for prisoners shall be designated as a facility at which defendant Loran Eugene Hall, Sr. shall be examined psychiatrically or psychologically to determine whether he is presently suffering from a mental disease or defect rendering him incompetent:
  - A. To the extent that he is unable to understand the nature and consequences of the proceedings against him; or,
  - B. To assist properly in his defense.
- 2. In addition to the examination for the purposes described in paragraph 1 above, the defendant shall also be examined to determine whether under the test set out in 18 U.S.C. § 17, that he was insane at the time of the offense.
- 3. The United States Marshall Service shall transport the defendant to the appropriate facility for the examination.
- 4. After the completion of the examination, a written report shall be filed with the court pursuant to 18 U.S.C. § 4247(b) and made available to counsel for the parties.



5. Any periods or delay resulting from these proceedings are excludable under the	
Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A).	
Signed this 3/3/day of, 1990.	
Janes Clum	
JAMES Ø. ELLISON UNITED STATES DISTRICT JUDGE	

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# UNITED STATES DISTRICT COURT FOR THE FILED NORTHERN DISTRICT OF OKLAHOMA

MAY 3 0 1990 d

UNITED STATES OF AMERICA,	) Jack C. Silver, Clerk
Plaintiff,	U.S. DISTRICT COURT
vs.	) )
LORAN EUGENE HALL, SR.,	)
Defendant.	) No. 89-CR-83-01-E

### GOVERNMENT'S RESPONSE TO THE MULTIPLE PRETRIAL MOTIONS OF THE ABOVE DEFENDANT

COMES NOW the government, and for its response to the multiple pretrial motions of the above defendant, alleges and states:

I.

#### MOTION IN LIMINE

Co-conspiratorial hearsay evidence in this case will be necessary under Rules of Evidence No. 801(d)(2)(E).

The plaintiff is well aware of, and will comply with its burden in this circuit, under <u>United States v. Andrews</u>, 585 F.2d 961 (10th Cir. 1978), and <u>United States v. Petersen</u>, 611 F. 2d 1313 (10th Cir.), <u>cert</u>. <u>denied</u>, 447 U.S. 905 (1979).

The above basic legal tenets in the tenth circuit govern the admissibility of co-conspirator statement evidence and the court must rule on admissibility after evaluating the evidentiary foundation upon which the statements are offered.

Excellent recent discussions of these principles are set forth in Tenth Circuit opinions in <u>United States v. Hernandez</u>, 829 F.2d 988 (10th Cir. 1987); <u>United States v. Martinez</u>, 825 1451 (10th Cir. 1987); and <u>United States v. McMurry</u>, 818 F.2d 24 (10th Cir. 1987).

In McMurry, the 10th Circuit stated:

Petersen does not require a trial judge to hold a preliminary hearing on the admissibility of a co-conspirator's statement because "a trial court has no obligation to determine the admissibility of possible hearsay at the pretrial stage". United States v. Monaco, 700 F.2d 577, (10th Cir.).

Hernandez and Martinez contain detailed discussions of the latest Supreme Court decision in <u>United States v. Bourjaily</u>, 107 S.Ct. 2775, 2779 (1987), holding that "a court, in making a preliminary factual determination under Rule 801(d)(2)(E), may examine the hearsay statements sought to be admitted", as well as the independent evidence presented.

It is suggested that direct evidence of the conspiracy can be presented at time of trial which will meet the qualifications of <a href="Maintenancements-Andrews/Petersen">Andrews/Petersen</a>, <a href="Supra">Supra</a>.

II.

### MOTION TO COMPEL PRODUCTION OF GUIDELINE SENTENCING INFORMATION

The defendant specifically requests the court to order the government to disclose to the defendant the following information; (1) the guideline the government contends is

applicable to this case; (2) offense any aggravating characteristics the government contends are applicable to this case; (3) any aggravating adjustments the government contends are applicable to this case; and (4) the grounds, if any, that the government might argue to justify an upward departure in this case. The defendant argues that this information is necessary to ensure the voluntariness of a guilty plea and the effective assistance of With early disclosure of the relevant sentencing information the government may have, the defendant contends, a court cannot satisfy itself of the defendant's awareness of his likely exposure to punishment and counsel cannot fulfill his obligation to help the client to meaningfully assess the advantages of pleading quilty.

The purpose of Rule 11 of the Rules of Criminal Procedure is to ensure the defendant is aware of the consequences of his plea. See McCarthy v. United States, 394 U.S. 459, 464, 89 S.Ct. 1166, 1170, 22 L.Ed.2d 418 (1969). Rule 11 requires that "the district court must, before accepting the plea, inform the defendant of 'the mandatory minimum penalty provided by law, if any, and the maximum penalty provided by law.'" United States v. Fernandez, 877 F.2d 1138, 1142-43 (2d Cir. 1989). Though it might be desirable if a defendant were fully aware of his likely sentence under the Sentencing Guidelines at the time he enters a plea, there is no such requirement in Rule 11 or the Sentencing Guidelines. See Fernandez, 877 F.2d at 1143. Under the Sentencing Guidelines,

"although various factors will increase or enhance the range of a particular defendant's sentence, the maximum sentence will never exceed the maximum provided by statute" and the minimum sentence will be imposed even if a defendant falls into a lower sentencing range under the Guidelines. <u>United States v. Turner</u>, 881 F.2d 684, (9th Cir. 1989), <u>cert. denied</u>, 58 U.S.L.W. 3218 (U.S. Oct. 2, 1989) (No. 89-5451); <u>see also Sentencing Guidelines</u>, 5G1.1 Commentary. Therefore, the requirements of Rule 11 are met if a defendant is informed of the maximum and minimum sentence for the offense with which he is charged.

A defendant is not entitled to withdraw his guilty plea based on ineffective assistance of counsel because his attorney erroneously estimated his sentence. Little v. Allsbrook, 731 F.2d 238 (4th Cir. 1984). The Sentencing Guidelines do not avoid the effect of precedent on this issue. See United States v. Sweeney, 878 F.2d 68, 70 (2d Cir. 1989). Before the Guidelines, there was a minimum and maximum sentence allowable under the statute and it was within the judge's discretion to impose sentence within the allowable range. Under the Guidelines, there still exists a minimum and maximum sentence although in accordance with the Guidelines. "The Sentencing Guidelines should make it easier for defense counsel to advise a defendant regarding the probable sentencing range with greater accuracy because the various factors that will effect the computation of the offense level and criminal history category are spelled out." Turner, 881 F.2d at 687.

Therefore, defense counsel is in no greater need of information concerning the government's theories or arguments with regard to sentencing that he was before the Sentencing Guidelines. See Sweeney, 878 F.2d at 70.

III.

### MOTION TO INSPECT EVIDENCE FAVORABLE OR EXCULPATORY TO THE DEFENDANT

The government declines to speculate on what evidence may or may not be considered "favorable" to the accused. As hereinafter noted the government will be aware of its' obligation under Brady v. Maryland, ante, on an ongoing basis. United States v. Jackson, 579 F.2d 553 (10th Cir.), cert. denied, 439 U.S. 981 (1978).

IV.

# MOTION TO DISCLOSE INDUCEMENTS, PROMISES, AND PAYMENTS TO PROSPECTIVE WITNESS

Pursuant to <u>Brady v. Maryland</u>, 373 U.S. 83 (1963), and progeny, the government will provide in ample time for utilization at trial, notice to all defense counsel of any and all promises, rewards, inducements, made to any government witness (if any), offers or grants of immunity (if any), arrest and conviction records of government witnesses (if any), and any other relevant material information bearing on the witnesses' potential bias or interest in the outcome of the case and/or his or her own motive for cooperating with the government.

#### MOTION FOR PRESENTATION OF AGENTS NOTES

The agents have previously been instructed to preserve their notes as a routine procedure in all cases. Campbell v. United States, 365 U.S. 85, 102 (1961).

VI.

# MOTION REQUIRING GOVERNMENT TO ADMIT OR DENY THE EXISTENCE OF OTHER INVESTIGATIONS AND POTENTIAL INDICTMENTS

The government declines to speculate as to what legal or factual basis entitles this motion to meritorious consideration. In the absence of such, defendant's motion is obviously an attempt to gain information, if any, about matters which are not relevant to the decision in <a href="Petite v. United States">Petite v. United States</a>, 361 U.S. 529, 80 S.Ct. 450, 4 L.Ed.2d 490 (1960) or the guidelines of the United States Attorney's Manual, Title 9, Section 2.142. <a href="See United States v. Thompson">See United States v. Thompson</a>, 579 F.2d 1184 (10th Cir. 1978) and <a href="United States v. Fritz">United States v. Thompson</a>, 579 F.2d 370 (10th Cir. 1978).

VII.

### MOTION FOR SPECIAL PRODUCTION OF STATEMENTS OF INDIVIDUALS NOT TO BE CALLED AS WITNESSES

The defense counsel has been furnished complete access to the entire government file and a copying machine to reproduce anything so desired. This should suffice.

#### VIII.

### MOTION IN LIMINE REGARDING USE OF AFTER FORMER CONVICTIONS

The defendant refers to a defendant Lawrence. There is no one by that name in this case. If he is referring to defendant Thimmesch a/k/a Lasley, the government will only use such convictions when approved by the court as non-prejudicial to the detriment of a fair trial.

IX.

## MOTION TO EXCLUDE EVIDENCE OFFERED BY THE PROSECUTION PURSUANT TO F.R.E. 404(b)

At this time the government does not know of any Rule 404(b) F.R.E., material as defined by <u>United States v. Record</u>, 873 F.2d 1363 (10th Cir. 1989). Should such become available and its use intended, a notice of such will be filed in the case.

Х.

#### MOTION FOR WITNESS LIST

The government declines to produce a pretrial list of its witnesses. The names and addresses of potential government witnesses are not discoverable before trial, except in treason or capital offense cases. 18 U.S.C. §3432; United States v. Baca, 494 F.2d 424, 427 (10th Cir. 1974); United States v. Seasholtz, 435 F.2d 4 (10th Cir. 1970); Nipp v. United States, 422 F.2d 509 (10th Cir. 1969); cert. denied, 397 U.S. 1008; United States v. Gleeson, 411 F.2d 1091 (10th Cir. 1969); Edmondson v. United States, 402 F.2d 809 (10th Cir. 1969).

### MOTION TO FILE ADDITIONAL MOTIONS OUT OF TIME

The government objects to any unlimited right the defendant seeks to file pretrial motions at any time, unless such is specifically covered by the Federal Rules of Criminal Procedure.

<u>United States v. Jensen</u>, 608 F.2d 1349, 1357 (10th Cir. 1979).

XII.

#### MOTION TO PRECLUDE PROSECUTION FROM CONFERRING

The decision, as cited by defense, of <u>Perry v. Leeke</u>, 102 L.Ed2d 624 (1988), does not apply to the prosecution and only stated the accused has no right to confer with his counsel during a recess in his trial testimony. The decision cannot possibly be construed to be as far-reaching as the defense counsel contends and should therefore be denied.

XIII.

#### MOTION TO SUPPRESS

The government denies that this defendant has any standing to raise the issue of suppression through a proprietary interest which would so entitle his motion consideration.

#### XIV.

#### MOTION TO ADOPT ALL MOTIONS PREVIOUSLY FILED

The prosecution adopts all responses previously filed to all motions previously filed.

Respectfully Submitted,

TONY M. GRAHAM United States Attorney

JOHN S. MORGAN (OCDETF)
Assistant United States Attorney
3600 U. S. Courthouse
333 West Fourth Street
Tulsa, Oklahoma 74103
918/581-7463

#### CERTIFICATE OF SERVICE

This is to certify that on the 30 day of May, 1990, a true and correct copy of the foregoing was mailed postage prepaid thereon, to: Paul D. Brunton, Esq. 1310 S. Denver, Tulsa 74119.

Assistant United States Attorney

lib

# UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

# FILED

MAY 24 1990 A

UNITED STATES OF AMERICA,	1 1000 (0
Plaintiff,	Jack C. Silver, Clerk U.S. DISTRICT COURT
VS.	) Criminal No. 89-CR-83-01-E
LORAN EUGENE HALL, SR.,	) )
Defendant.	) OBA #1256 )

#### WAIVER OF SPEEDY TRIAL

COMES NOW on this 23 day of \_\_\_\_\_\_\_, 1990, LORAN EUGENE HALL, SR., Defendant in the above-captioned case, and hereby files this waiver of speedy trial pursuant to 18 U.S.C. § 3161 (h) (8) (A).

Paul D. Brunton

OBA NO. 1256

Attorney for Defendant

LORAN EUGENE HALL, SR. 1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

CERTIFICATE OF DELIVERY

I hereby certify that on this day of \_\_\_\_\_\_\_, 1990, a true and correct copy of the above and foregoing Waiver of Speedy Trial, was delivered to the United State's Attorney's office, 3600 U.S. Courthouse, Tulsa, Oklahoma, 74103.

PAUL D. BRUNTON

# United States District Court

MAY 23 1990 05

NORTHERN District of OKLAHOMA

Jack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA

٧.

JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

David Royse Ladd	Case Number 89-CR-083-05-E
(Name of Defendant)	John E. Dowdell Defendant's Attorney
THE DEFENDANT:	,
pleaded guilty to count(s) <u>One of the India</u> was found guilty on count(s) plea of not guilty.	after a
Title & Section         Nature           21 USC 846, 841(a)(1)         Conspi	of such count(s), which involve the following offenses:  of Offense  racy to Manufacture With  to Distribute Methamphetamine
The defendant is sentenced as provided in pages imposed pursuant to the Sentencing Reform Act	2 through3 of this Judgment. The sentence is of 1984.
and is discharged as to such count(s).  ☐ Count(s) United States.  ☐ The mandatory special assessment is included	ount(s), (is)(are) dismissed on the motion of the d in the portion of this Judgment that imposes a fine. e United States a special assessment of \$ _50,
It is further ordered that the defendant shall r 30 days of any change of residence or mailing assessments imposed by this Judgment are fully	notify the United States Attorney for this district within address until all fines, restitution, costs, and special paid.
Defendant's Soc. Sec. Number:	

Defendant's Soc. Sec. Number: 279-68-5742

Defendant's mailing address:
2100 Harrisburg Road

May 15, 1990

Date of Imposition of Sentence

Signature of Judicial Officer

James O. Ellison, United States District Judge
Name & Title of Judicial Officer

Canton, Ohio 44705-2132

Defendant's residence address:

Same

May 15, 1990

Date

Judgment—Page	2	of	3	
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Defendant: David Royse Ladd Case Number: 89-CR-083-05-E

### **PROBATION**

The defendant is hereby placed on probation for a term of \_\_Five (5) Years

While on probation, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this Judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

That the defendant participate in a program for the treatment of substance abuse at the discretion of the U. S. Probation Office.

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Judgment—Page _	3	Ωf	3
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Defendant: David Royse Ladd Case Number: 89-CR-083-05-E

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
  - 15) You shall submit to urinalysis as directed by the U. S. Probation Office. These conditions are in addition to any other conditions imposed by this Judgment.
  - 16) You shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.

**>**/

# UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA MAY 21 1990 N

UNITED STATES OF AMERICA,	Jack C. Silver, Clerk U.S. DISTRICT COURT
Plaintiff,	)
vs.	) Criminal No. 89-CR-83-01-E
LORAN EUGENE HALL, SR.,	) ) )
Defendant.	) OBA #1256 )

COMBINED PRETRIAL MOTIONS AND BRIEFS IN SUPPORT ON BEHALF OF DEFENDANT LORAN EUGENE HALL, SR.

### **MOTION IN LIMINE**

COMES NOW the defendant Hall, Sr. by and through undersigned counsel, and respectfully requests this Court for an order *in limine* precluding the Government, its representatives and agents from asking questions or eliciting testimony during the jury trial of this case relative to matters which are hearsay declarations of co-conspirators, be they indicted or unindicted, until the Government has established by independent evidence that there was indeed a conspiracy as alleged in the indictment and also that the defendants have knowingly and voluntarily become members of said conspiracy. *See United States v. Petersen*, 611 F.2d 1313 (10th Cir. 1979); *United States v. McMurry*, 818 F.2d 24 (10th Cir. 1987); and *United States v. Bourjaily*, 107 S. Ct. 2775 (1987).

MOTION TO COMPEL PRODUCTION OF GUIDELINE SENTENCING INFORMATION AND MEMORANDUM BRIEF IN SUPPORT

The defendant Hall, Sr. by undersigned counsel pursuant to FED. R. CRIM.

P. 8, 11, 14, and 16 and the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution, hereby moves this Court to compel the production of Guideline sentencing material.

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The defendant requests that the Court order the Government to disclose prior to trial the following Guideline sentencing information:

- 1. The defense Guideline or Guidelines the Government presently represents as applicable to the charges against defendant Hall;
- 2. Any aggravating specific offense characteristics the Government presently believes should be applicable to the charges against defendant Hall;
- 3. Any Chapter Three "adjustments" regarding victim, role, obstruction, or acceptance or responsibility which the Government presently believes are applicable to the case;
- 4. Whether Government intends to take the position that the "career offender" provisions of 4B1.1 or "criminal livelihood" provisions of 4B1.3 apply to defendant Hall in this case;
- 5. Defendant Hall's prior criminal record, if any, including all judgments of conviction, sentences imposed thereon, all release dates from all committed sentences, and expiration dates of all terms of probation and parole;<sup>1</sup>
- 6. The grounds, if any, upon which the Government will argue for an upward departure from the applicable Guideline range, including, but not limited to, any argument regarding the adequacy of the criminal history category as determined in 4A1.3; and
- 7. The existence of any facts, information or other evidence that could give rise to an argument for a downward departure from the applicable Guideline range, including, but not limited to, the provisions of 4A1.3, 5H, and 5K.

Early disclosure of Guideline sentencing information is essential to secure the defendant's right to effective assistance of counsel under the Sixth Amendment. Defense counsel cannot provide effective assistance ignorant of existing and readily accessible information that materially affects assessment of the options available to a client and the likely consequences that would flow from each option. Frequently, the most critical defense advice concerns the client's option to plead guilty or stand trial. In *Brady v. United States*, 397 U.S. 742, 750 n. 6 (1970), the Supreme Court unanimously concurred

<sup>&</sup>lt;sup>1</sup>This information is either in the possession of the prosecutor or the federal agencies assisting in the investigation of this case. As such, it is produced under Rule 16. *United States v. Brian*, No. 87-3059 (9th Cir. January 18, 1989).

that "an intelligent assessment of the relative advantages of pleading guilty is frequently impossible without the assistance of an attorney". Necessarily, the value of the assistance of counsel is directly related to whether counsel possesses the means necessary to inform the defendant of the penalty likely to be imposed in the event of a guilty plea.

The Sentencing Guidelines do not create or mandate counsel's Sixth Amendment duty to apprise the defendant of the likely range of punishments for such obligation has been present for some time. In fact, where it has been executed improperly, courts have not been reluctant to castigate the lawyer. See laea v. Sunn, 800 F.2d 861, 865 (9th Cir. 1986) (attorney's gross mischaracterization of range of sentences constitutes deficient representation); United States v. Rumery, 698 F.2d 764, 766 (5th Cir. 1983) (counsel's overestimate of defendant's exposure constitutes deficient representation); United States v. Byrd, 669 F. Supp. 861, 866 (N.D. III. 1987) (counsel's inaccurate sentencing predictions held "objectively unreasonable" under Strickland test); cf. Hill v. Lockhart, 474 U.S. 52 (1985) (attorney's failure to inform client of relevant sentencing information can constitute ineffective assistance) (White, J., concurring).

The Sentencing Guidelines do change the nature of counsel's obligation. The guidelines are mandatory in nature, 18 U.S.C. §3553(b), and "bind judges and courts in the exercise of their uncontested responsibility to pass sentence in criminal cases." *Mistretta v. United States*, 109 S.Ct. 647, 664 (1989). Indeed the guidelines "have the force and effect of laws, prescribing the sentences criminal defendants are to receive." *Id.* at 676 (Scalia, J., dissenting). The new procedures of the Sentencing Reform Act and the Sentencing Guidelines change almost a century of indeterminate sentencing. The guidelines severely restrict the availability of probation and in fact require the imposition of minimum terms of imprisonment unless the court finds the existence of mitigating circumstances, "of a kind, or to a degree" not adequately considered by the Commission in determining the guidelines. A decision to depart from the applicable guideline range is subject to appellate review. No longer does knowledge of an experience with a particular judge's sentencing patterns or particular prosecution policies supply counsel with the tools necessary to advise a client intelligently on the sentencing advantages of pleading guilty. Familiarity with the Guidelines manual does not provide the crucial information counsel needs, for much of

the application procedures is guesswork, absent information in the possession of the government.

In this context, the Government's position on the offense level, applicable adjustments and criminal history category is critical to determining the pros and cons of entering a guilty plea. Counsel recognizes that such may be true regardless of whether the defendant pleads guilty or elects a trial, but it does not extinguish counsel's Sixth amendment obligation to express an informed view on the appropriate course of action.

The Government loses nothing and gains everything by producing its information and position on the applicable guideline range and appropriate departures. Without knowledge of aggravating offense specific offense characteristics, wary defense lawyers may advise their clients to go to trial simply because they fear the guidelines and are unable to give pre-trial advice on the likely range of sentences. Early disclosure of information regarding aggravating guideline factors could result in informal resolution during plea negotiations or a limited hearing to resolve the dispute, thus avoiding the need for trial.

Early production of guideline factors serves the administration of justice. Defense counsel will receive the information necessary to fulfill their advisory function, defendants will understand the consequences of pleading guilty, prosecutors will receive early plea agreements, and courts will avoid the expense and time of trials that otherwise would not occur but for the defendant's inability to gauge their likely sentences.

Without early disclosure of relevant sentencing information, counsel cannot supply the advice the Sixth amendment requires. No overpowering competing interest exists that could possibly warrant denial of pre-trial or pre-plea disclosure of guideline sentencing information.

Without Guideline sentencing information, neither the defendant nor counsel can assess the value of plea negotiations or commitments made by prosecutors during plea negotiations. For example, an offer to dismiss counts may be of no benefit if the Government failed to disclose its position that dismissed counts involved the same course of conduct or common scheme and plan as the count to which the defendant agreed to plea guilty. Dismissal of counts may be of little relevance to the amount of fine and/or restitution a defendant could be ordered to pay. Without disclosure of sentencing

information, the mutuality of advantage and relatively equal bargaining power the Supreme Court attributes to the plea process, *Bordenkircher v. Hayes*, 434 U.S. 357, 363 (1978), will disappear.

Early disclosure of Guideline sentencing information will ensure that a defendant who elects to plead guilty does so with full appreciation of the likely consequences of his plea that both due process and Rule 11(c)(2) require. See generally Brady v. United States, 397 U.S. 742, 749 n.6 (1969). The Supreme Court has consistently held that the trial court must satisfy itself the defendant understands "the permissible range of sentences" to which he or she is subject by virtue of a guilty plea. See, e.g., Boykin v. Alabama, 395 U.S. 238, 244 n.7 (1969). The complexity of the Guidelines system and numerous variables that may affect a particular sentence preclude trial courts from satisfying this obligation simply by relating to the defendant that he or she is "subject to the guidelines." As discussed supra, the Guidelines require the imposition of minimum sentences not required by the various criminal statutes. Probation without custody is available in only 21 of the 258 possible sentencing ranges established by the guidelines, yet it is statutorily available in the majority of federal crimes. See 18 U.S.C. §3559(a), as amended November 18, 1988. The Guidelines also require minimum fines (in the absence of inability to pay) based upon the offense level. Only in those instances where a court finds a mitigating circumstance "of a kind or to a degree" not adequately considered by the Sentencing Commission in determining the guidelines can the court depart below the applicable range. Congress so limited the availability of departures that minimum sentences not otherwise statutorily required are a reality.

To satisfy Rule 11 obligations trial courts must now inquire of the defendant and/or counsel whether the defendant has been apprised of the likely range of sentences applicable to the case, including the likely minimum term required by the range and the possibility the court may depart from the range.<sup>2</sup> A guilty plea "cannot be truly voluntary unless the defendant possesses an understanding of the law in relation to the facts." *McCarthy v. United States*, 394 U.S. 459, 467 (1969). Because of the

<sup>&</sup>lt;sup>2</sup> Voluntariness challenges to erroneous calculation of the sentencing range must be resolved on a case-by-case basis, taking into account the magnitude of the error, the facts underlying its making, the timeliness of its assertion and the significance of the error in the decision to plead guilty. *See generally Hill v. Lockhart*, 474 U.S. 52 (1985). Early production of Guideline information, the ability to resolve disputes either informally or formally before the plea and a full discussion with the defendant at the plea will significantly decrease the likelihood of such challenges.

mandatory and binding nature of the Sentencing Guidelines, due process, and Rule 11(c)(2) require the Government to disclose information concerning how the defendant's sentence will ultimately be calculated. It follows that such disclosure is necessary before the Court can satisfy itself of the defendant's awareness of the penalties and of the voluntariness of the guilty plea. See, e.g., United States v. Bethancurt, 692 F. Supp. 1427 (D.D.C. 1988).

Brady v. Maryland, 373 U.S. 83 (1963), and its progeny require the Government to disclose all favorable evidence as material either to "guilt or punishment". Id. at 87 (emphasis added) Guideline Sentencing information often will include favorable factors that mitigate the defendant's exposure to prison. These factors include, but are not limited to the following:

- A. Whether the defendant has accepted responsibility for his offense;
- B. Whether the counts of a multi-count indictment should be "grouped";
- C. Whether the defendant has provided "substantial assistance" to the authorities:
- D. Whether the defendant was a minor or minimal participant in the offense activity;
- E Whether the defendant acted under duress or coercion not rising to a complete defense.

All Brady material relevant to Guideline sentencing factors is requested.

For the foregoing reasons, the defendant respectfully requests that the Court compel the production of discovery, including Guideline sentencing information.<sup>3</sup>

## MOTION TO INSPECT EVIDENCE FAVORABLE TO THE DEFENDANT

<sup>&</sup>lt;sup>3</sup>The essential contents of this Motion was prepared by Hunt Charach, Assistant Federal Public Defender, Southern District of West Virginia.

COMES NOW the defendant by and through undersigned counsel, and pursuant to *Brady v. Maryland*, 83 S.Ct. 1194 (1963), moves to require the disclosure of evidence by the prosecution favorable to the accused whether said evidence is material either to guilt or punishment. See also Motion to Compel Production of Guideline Sentencing Information.

## MOTION TO DISCLOSE INDUCEMENTS, PROMISES. AND PAYMENTS TO PROSPECTIVE WITNESSES

COMES NOW the defendant Hall by and through counsel, and moves this Court to order the Government to disclose to the defendant which co-defendants, or any other person, has been permitted, received, or benefited in any way from any immunity or favor granted or to be granted by the United States, its prosecutors, agencies, or agents, and to further state and describe the substance of said immunity and favor, for example, refusal to prosecute, limited prosecution, releases on bail, release on bail without security, recommendations to courts for lesser punishment, rewards of any kind including financial, maintenance, protection, payments to wives, sweethearts, or families, or for their maintenance, or any other rewards of any nature. See Brady v. Maryland, 373 U.S. 83 (1963).

## MOTION FOR PRESERVATION OF AGENTS' NOTES

COMES NOW the defendant, and moves for an order, pursuant to the Fifth and Sixth Amendments to the United States Constitution, 18 U.S.C.S. §3500, and FED. R.CRIM. P. 16, directing the Government agents, police officers, and any Government informants involved in this case to retain all typed and handwritten notes or memoranda made in relation to this case.

In *United States v. Lane*, 574 F.2d 1019 (10th Cir. 1978), the Court held that agents should preserve notes taken contemporaneously with an interrogation and that any deviation from the notes appearing in the office report of the statement may furnish an aid to the accused. *Id.*, at 1022. In addition, *see United States v. Harris*, 543 F.2d 1247 (9th Cir. 1976), wherein the Court held that notes taken by an F.B.I. agent during an interview are discoverable and that they must be preserved. Finally, *see United States v. Bryant*, 439 F.2d 642 (D.C. Cir. 1971), wherein the Court imposed upon the Government an obligation to follow rigorous and systematic procedures to preserve all discoverable

evidence. Id., at 652.

In addition to the above requirements and cited authorities, *United States v. Bufalino*, 576 F.2d 446 (2d Cir. 1978), requires the retention of rough drafts and notes or written reports made during the course of an investigation.

## DEFENDANTS' MOTION REQUIRING GOVERNMENT TO ADMIT OR DENY THE EXISTENCE OF OTHER INVESTIGATIONS AND POTENTIAL INDICTMENTS

The Defendant respectfully moves this Court for an order requiring the Government to admit or deny the existence of other investigations and potential indictments of him and, as grounds therefor, avers as follows:

- 1. The Department of Justice has an internal policy against dual prosecution. That policy is set forth in United States Attorney's Manual, 9-2.142:
  - . . .a federal prosecution may be had after a state prosecution of the same defendant for the same act or acts only if a recommendation demonstrating compelling interest for a federal prosecution is made to the appropriate Assistant Attorney General.

### And at 9-2.143:

- . . .If a prospective defendant has been federally prosecuted for an offense and a U.S. Attorney desires to further prosecute him for another offense arising from the same transactions, a recommendation. . .shall be submitted to the Assistant Attorney General for approval prior to initiating prosecution. . . .
- 2. The policy noted is derived from *Petite v. United States*, 261 U.S. 529 (1960), wherein a defendant was prosecuted by the United States in two separate judicial districts for offenses arising out of a single transaction. When the case came before the Supreme Court, the Solicitor General moved to have the second judgment vacated on the basis of the Government's policy against dual prosecution. The Court's *per curiam* opinion, which remanded with instructions that the Government be allowed to dismiss the indictment, was the first judicial recognition of the policy.
- 3. The defendant is entitled to know of the existence of any other investigation which might lead to an indictment for offenses arising from the same transactions in order that appropriate

motions to dismiss may be filed. Furthermore, the defendant is entitled to know of any communications or negotiations between prosecutors and agents in this District with others in districts where they may later be indicted in order to avoid any attempts by officials in those other districts to time indictments in such a manner as to appear not to violate the *Petite* policy.

The defendant relies upon those provisions of the United States Attorney's Manual recited above, as well as *Petite v. United States*, 361 U.S. 529 (1960), and Rules 2 and 11(d) of the Federal Rules of Criminal Procedure.

WHEREFORE, the defendant prays that this Court will enter its order requiring the Government to admit or deny the existence of other investigations and potential indictments and to afford the defendant a full hearing on this matter.

## DEFENDANT'S MOTION FOR SPECIAL PRODUCTION OF STATEMENTS OF INDIVIDUALS NOT TO BE CALLED AS WITNESSES

COMES NOW the Defendant, and pursuant to FED. R. CRIM. P. 57(d), move this Court for its order requiring the Government to produce all interviews, memoranda, and reports made from interviews with those persons whom the Government has determined not to call as a witness at trial and as grounds therefore would show:

- 1. This request does not go to those reports of interviews or statements made by prospective government witnesses which would be covered by the provisions of 18 U.S.C. §3500 and FED. R. CRIM. P. 16(a)(2).
- 2. Defendant does, however, seek such items with regard to those individuals interviewed during the course of the investigation of this case and whom the Government has determined not to call as witnesses.

The defendant's request for reports and interviews or statements made by individuals whom the Government has determined not to call as witnesses is bottomed on the principals of *Brady v. Maryland*, 373 U.S. 83 (1963). This precise issue was raised in the case of *United States v. Perkins*, 383 F. Supp. 922, 930 (N.D. Ohio 1974), in which a request was made for "interview memoranda and

reports made from interviews which those persons whom the government has determined not to call as witnesses". In responding to that request, the Court stated:

Concededly there are a variety of reasons for not calling a witness, but since the better practice is to resolve doubt as to the exculpatory nature of certain materials in favor of the defendant, and since the government no doubt has a somewhat different view of the exculpatory or mitigating nature of materials in its possession, the Court directs the government to make available to the defense those memoranda and reports of persons not to be called as witnesses, doing so not later than two weeks prior to trial.

While the request made herein is an unusual request made in pretrial discovery proceedings, the defendant submits that it is important to the preparation of their defense in this cause, and that *United States v. Perkins*, *supra.*, provides not only authority, but also a well-reasoned underpinning of that authority for the granting of this Motion.

## MOTION IN LIMINE REGARDING USE OF AFTER FORMER CONVICTIONS

Counsel for the defendant Hall, Sr. moves to restrict the use of the defendant Lawrence's prior convictions pursuant to F.R.E. 609(a). It should be noted that none of these convictions involve crimes of violence or use of firearms and therefore it is submitted that their prejudicial affect outweighs their probative effect.

It is suggested in *United States v. Burkhead*, 646 F.2d 1283 (8th Cir. 1981), by classifying as reversible error the trial court's failure to rule on the defendant's motion *in limine* regarding the defendant's prior conviction. Finally, as stated in *Federal Courtroom Evidence* 158 (Cotchett & Elkind), "The court should require the prosecution to state briefly the surrounding circumstances, date, nature and place of the conviction. The defendant should be given an opportunity to rebut evidence showing lack of prejudicial effect".

## MOTION TO EXCLUDE EVIDENCE OFFERED BY THE PROSECUTION PURSUANT TO F.R.E. 404(b)

In addition to counsel's previous motion on the limitation of 404(b) evidence, and in the

spirit of the defense bar and its neverending search for legitimate and constitutional obstacles to the Government's prosecution, it is submitted that due process prohibits the introduction of 404(b) evidence absent proof beyond a reasonable doubt. Even though the Supreme Court most recently in *Huddleston v. United States*, 108 S.Ct. 1496 (1988), obviated the necessity of the trial court's application of a standard of proof regarding admissibility, the decision was couched in terms of the Federal Rules of Evidence and advisory committee notes. Nowhere in the *Huddleston* opinion or in any previous cases read by counsel herein, has the argument been advanced that the introduction of other crimes' evidence utilizing any less standard than proof beyond a reasonable doubt, violates the defendant's Fifth Amendment rights to due process. The notion that the Government can escape proof beyond a reasonable doubt as to the substantive crime charged by allowing proof of other or similar acts' evidence with the emasculated standard of proof now approved by the Supreme Court under the guise of the Federal Rules of Evidence, flies totally in the face of any legitimate constitutional reasoning and/or logic.

In *United States v. Davis*, 45 Cr.L. 2258 at 2259, the Court held: "The Due Process Clause commands that Congress may not require that any person be incarcerated for a fixed period directly attributable to a specific fact determination unless proved beyond a reasonable doubt". *In Re Winship*, 397 U.S. 358, 364 (1970); *Mullaney v. Wilbur*, 421 U.S. 684, 704 (1975); *see also McMillan v. Pennsylvania*, 477 U.S. 79 (1986). The rationale of those cases can be equally applied to the admissibility of 404(b) evidence because by its very nature a conviction based upon the introduction of this type of evidence results precisely in a "specific fact determination" by lesser standard than proof beyond a reasonable doubt. Although the *Davis* case deals with a trial court's determination that the sentencing guidelines violate the Due Process Clause, the rationale of that opinion and the Supreme Court cases referred to therein, suggest its applicability in striking down the concept of admissibility of 404(b) evidence without the requisite proof beyond a reasonable doubt.

## MOTION FOR WITNESS LIST

COMES NOW the defendant Hall, Sr. by and through his undersigned counsel, and moves this Court for an order requiring the United States Attorney to furnish to counsel the list containing the

names and addresses of those individuals that the Government intends to call at any hearing or at the trial of this case. Counsel is not unmindful of the fact that it is a rare day that government witness lists are provided to counsel prior to trial.

This Court clearly possesses the power to order the Government to disclose its list of witnesses, particularly those witnesses to be called at trial in this case. *See United States v. Jackson*, 508 F.2d 1001, 1005-07 (7th Cir. 1975), wherein the Court upheld, on the basis of the trial court's "inherent power", dismissal of the indictment on the grounds that the Government refused to comply with the pretrial order to identify the Government's witnesses. *See also United States v. Leichtfuss*, 331 F.Supp. 723, 732 (N.D. III. 1971).

Effective confrontation in cross-examination of witnesses against a defendant is guaranteed by the Sixth Amendment to the United States Constitution. *See Pointer v. Texas*, 85 S.Ct. 1065 (1965). In addition, FED. R. CRIM. P. 2 is particularly appropriate in its provision that the Rules of Criminal Procedure should be construed "to secure simplicity in procedure, fairness in administration and the limitation of unjustifiable expense and delay".

In summary, defendant's request for disclosure of the identity and addresses of the Government's witnesses in this case is material, reasonable, and justified particularly in light of the constitutional guarantees of the Fifth and Sixth Amendments to the United States Constitution.

## MOTION TO RESERVE THE RIGHT TO FILE FURTHER MOTIONS, INCLUDING BUT NOT LIMITED TO MOTION TO SUPPRESS PURSUANT TO RULE 12(b)(1), PARAGRAPH 1 THROUGH 5

COMES NOW the defendant Hall, and pursuant to FED. R. CRIM. P. 12(b)(1), ¶¶1-5, and FED. R. CRIM. P. 12(d)(2), and requests this Court to enter an order allowing the defendant Hall to reserve the right to file any additional motions which may be deemed necessary pursuant to Request for Discovery under Rule 16, including but not limited to search and identification testimony.

## MOTION TO PRECLUDE PROSECUTOR FROM CONFERRING WITH PROSECUTION WITNESSES

COMES NOW the defendant Hall, Sr. by and through undersigned counsel and moves this Honorable Court for a protective order, directing the prosecutor and any of his agents to refrain from

conferring with prosecution witnesses, during the trial of this case, and for good cause would show unto this Honorable Court, the following:

1. Recently the Supreme Court in *Perry v. Leeke*, 488 U.S. \_\_\_\_\_, 109 S. Ct. \_\_\_\_\_, 102 L.Ed.2d 624 (1988) (holding that an accused has no right to confer with his counsel during a brief recess in his testimony) noted "that cross-examination is more likely to elicit truthful responses if it goes forward without the witness an opportunity to consult with . . . his or her lawyer". *Perry v. Leeke*, supra, at p.

The reason for the rule (precluding a witness from consulting with counsel during his or her examination) is one that applies to all witnesses -- not just defendants. It is a common practice for a judge to instruct a witness not to discuss his or her testimony with third parties until the trial is completed. Such nondiscussion orders are a corollary of the broader rule that witnesses may be sequestered to lessen the danger that their testimony will be influenced by hearing what other witnesses have to say. And to increase the likelihood that they will confine themselves to truthful statements based on their own recollections . . . Accordingly, it is entirely appropriate for a trial judge to decide . . . that cross-examination is more likely to elicit truthful responses if it goes forward without allowing the witness an opportunity to consult with third parties, including his or her lawyer. Perry v. Leeke, supra, at p. \_\_\_\_.

2. That it would enhance this truth-seeking function and further the purposes underlying this accused's Sixth Amendment right of confrontation to allow for cross-examination of government witnesses without the benefit of consultation with counsel for the Government. As the Supreme Court recently reiterated in *Green v. Bolk Laundry Machine Co.*, \_\_\_\_ U.S. \_\_\_\_, 45 Cr.L. 3061 (May 22, 1989):

The Sixth Amendment to the Constitution guarantees a criminal defendant certain fair trial rights not enjoyed by the prosecution. *Greene v. Bolk Laundry Machine Co., supra*, 45 Cr.L. at P. 3063.

3. That the purposes of Rule 615 of the Federal Rules of Evidence would be served where non-party witnesses are not allowed to consult with counsel during their testimony.

WHEREFORE, defendant Hall, Sr. prays that an order be entered directing government counsel and his witness not to consult with any parties, other witnesses, or counsel during pretrial hearings or the trial of this case, or in the alternative, not to consult during any interruptions or recesses

in their testimony in this case.

### MOTION TO SUPPRESS

COMES NOW the defendant, Loran Eugene Hall, Sr. by and through undersigned counsel, and pursuant to Federal Rule of Criminal Proceedure 12 (b) (3), moves to suppress, *inter alia*, the following:

(1) Evidence seized pursuant to the Marion County Kansas Search warrant issued on 4/6/89 by Judge William D. Clement for the farm house and tin out building located in the north 1/2 of Sec. 16, Township 22, Range 5E, Marion County Kansas.

Counsel for the Defendant alleges that the Search Warrant was procured in violation of the Constitution of the United States as set forth in *Illinios v. Gates*, 103 S. Ct. 2317 (1983).

The Defendant would further request the affidavits used to procure the above-mentioned search warrant be produced for inspection for a determination as to whether said affidavits contain any information relevant to this proceeding.

## MOTION TO ADOPT ALL MOTIONS PREVIOUSLY FILED

Rather than set forth in this pleading the combined pretrial motions filed in opposition to the original indictment, counsel incorporates herein as though fully set out all of those motions.

Respectfully submitted,

PAUL D. BRUNTON OBA #1256

Attorney for Defendant

LORAN EUGENE HALL, SR. 1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

## CERTIFICATE OF DELIVERY

I hereby certify that on this $2/$ day of $//$ day, 1990, a true and correct
copy of the above and foregoing Combined Pretrial Motions and Briefs in Support on Behalf of Defendant
Loran Eugene Hall, Sr. was delivered to the U.S. Attorney's Office, Federal Building, 333 West Fourth
Street, Tulsa, Oklahoma 74103.

PAUL D. BRUNTON

## United States District Court Received NORTHERN - DISTRICT OF UNITED STATES OF AMERICA 89620707018 LORAN EUGENE HALL, SR. CASE NUMBER: To: The United States Marshall 89 CR and any Authorized United States Officer YOU ARE HEREBY COMMANDED to arrest \_\_\_\_LORAN EUGENE HALL, SR and bring him or her forthwith to the nearest magistrate to answer a(n) ☑ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition charging him or her with (brief description of offense) Conspiracy to Manufacture; Possess with Inent to Distribute; and to Distribute Methamphetamine; Forfeiture 21 United States Code, Section(s) 846, 841(a)(1), 853 in violation of Title Name of Issuing Officer Title of Issuing Officer JUL 06 1989 Signature of Issuing Officer Date and Location Bail fixed at \$

This warrant was received and executed with the arrest of the above-named defendant at

WICHITA, Kallsqs

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

OH-09-90

Eddie R De Herrera

### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

JUL 5 1989

Jack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR. BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL,

nited States District Court | SS lorthern District of Oklahoma )

Defendants.

I hereby certify that the foregoing

is a true copy of the origination file in this Court.

Silver, Clarke GRAND JURY CHARGES:

Deputy

COUNT ONE

[21 U.S.C. §§846, 841(a)(1), 853]

#### Α. INTRODUCTION

Beginning in or about September, 1987, and continuing through and including February 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., §846, as follows:

To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

No.

[21 U.S.C. §§846, 841(a)(1):

Conspiracy to Manufacture;

Distribute, Methamphetamine; 21 U.S.C. §853: Forfeiture

Possess with Intent to

INDICTMENT

Distribute; and to

- (2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. §841(a)(1).
- (3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

### B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

- (1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, and others both known and unknown to the grand jury, would and did knowingly purchase precursor chemicals in the Northern District of Oklahoma, and elsewhere, with the intent to manufacture mehtamphetamine.
- (2) LOREN EUGENE HALL, JR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.
- (3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and unknown to the grand jury would and did knowingly manufacture methamphetamine.
- (4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.

### C. OVERT ACTS

To effect the objects of the conspiracy, the defendants named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

- (1) In or about September or October, 1987, LORAN EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.
- (2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.
- (3) In or about September or October, 1987, BARBARA ANN MARTENEY, in Texas, sold methamphetamine, and delivered money therefrom to LORAN EUGENE HALL, SR.
- (4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.
- (5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.
- (6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.
- (7) On or about October 28, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

- (8) On or about October 31, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., purchased chemicals and glassware in Tulsa, Oklahoma.
- (9) On or about November 15, 1988, LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator purchased chemicals in Tulsa, Oklahoma.
- (10) On or about November 28, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., Tulsa, Oklahoma, to advise that he would be coming or calling to place an order for 110 pounds of Ephedrine.
- (11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock.
- (12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas.
- (13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit.
- (14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
- (15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR.
- (16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas.

- (17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetmaine.
- (18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
- (19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals.
- (20) On or about February 15, 1989, LOREN EUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas.
- (21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory.
- (22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas.
- (23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie.
- (24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICAHRD LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas.

(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

## D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United States by the Court of the above defendant's following described property upon their individual and respective convictions herein, pursuant to Title 21, United States Code, §853:

- (1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.
- (2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM United States Attorney

Ву

S/Jack Morgan
Assist. U.S. Attorney

S/HARRY STEPHENS

Assistant United States Attorney

Foreperson

JSM:ddb

UNITED STATES DISTRICT COURT FOR THE FILEINORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

Plaintiff,

VS. FILEIMAY 10 1990 OU.S. DISTRICT COURT

VS.

DAVID ROYSE LADD,

Defendant.

No. 89-CR-83-05-E √

## SUBSTANTIAL ASSISTANCE MOTION

Comes now the government and advises the Court that the above defendant pleaded guilty herein on the 2nd day of March, 1990. His sentencing is currently scheduled for May 15, 1990 at 9:00 a.m.

This defendant, David Royse Ladd, has made a good faith effort to provide substantial assistance in the investigation and/or prosecution of other persons who have committed federal offenses.

Pursuant to the provisions of the Sentencing Guidelines \$5K1.1, the government moves for the Court to depart from the guidelines to grant this defendant an appropriate reduction in sentence.

Reasons for the Court to consider such a downward departure, is the conduct of the defendant, which conduct, for



security reasons, should be presented  $\underline{\text{in }}$   $\underline{\text{camera}}$ , to the Court at time of sentencing, or any other time so ordered.

Respectfully submitted,

TONY M. GRAHAM United States Attorney

JOHN S. MORGAN

Assistant United States Attorney 3600 U.S. Courthouse 333 West Fourth Street Tulsa, Oklahoma 74013

### CERTIFICATE OF SERVICE

This is to certify that on the \_\_\_\_\_\_\_ day of May, 1990, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: John E. Dowdell, Esq., 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103.

Assistant United States Attorney

JSM:vjg

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 9 1990 019

UNITED STATES OF AME	RICA,
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Plaintiff,

Jack C. Silver, Clerk

VS.

Criminal No. 89-CR-83-01-E V

LORAN EUGENE HALL, SR.,

Defendant.

OBA #1256

### **ORDER**

NOW, on this <u>graded</u>, 1990, the Court upon consideration of the Defendant's application for extension of time and continuance in the above captioned matter finds that same should be granted.

IT IS THEREFORE ORDERED that the motions of the Defendant will be due by the 21 day of May, 1990 and the responses of the government due by the 39 day of May, 1990. Pre-trial hearing on motions and change of plea set for the 1st day of June, 1990 at 9:00 o'clock; jury instructions, voir dire briefs due by the 11st day of June, 1990; the jury trial is now set for the 18st day of June, 1990, at 9:30 o'clock.

Finally, the defendant is hereby ordered to file a waiver of speedy trial.

IT IS FURTHER ORDERED, that the time between May 21, 1990 and June 18, 1990, is excludable pursuant to the Speedy Trial Act.

JUDGE OF THE DISTRICT COURT

## MINUTE SHEET - SENTENCING 59-CR-83-05 CR.CASE NO. DATE 5-15-90 SENTENCING JUDGE COOK Deputy R. Miller Reporter Simpson JUDGE ELLISON Deputy McCullough Reporter Dorrough JUDGE BRETT Deputy Overton Reporter Caslavka JUDGE Deputy Deputy Fractor Lesturges Reporter Counsel for Plaintiff \_\_\_\_\_\_ ACK Mon Oan Counsel for Defendant John Nowdell Retained; Court Appointed; FPD MINUTE: Enter as above. Defendant appears in person with counsel. (Witness Give testimony (Listed on back) Defendant and counsel asked if they care to say anything before sentence is pronounced, and no cause to the contrary being shown, Sentenced to the custody of \_\_\_\_\_\_ as to Counts \_\_\_\_\_ Imposition of sentence suspended - Probation 5 yra as to Counts 1 outjust to conditions of probation office (must participate in substance abuse program. 18:3553 Findings re PSI/Sentence made, Transcript Ordered Sentence re: Guidelines; within same; Departure; Upward/Downward, Findings Made Bond Exonerated. Defendant advised of right to appeal. Defendant gives oral notice of appeal. \_\_\_\_\_ Appeal bond set at \_ (cash or surety) Remanded to custody of U. S. Marshal. ADDITIONAL MINUTES: may travel to from Ohio for substance abuse participation

CR-3:6/89

Z

## FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,

Plaintiff.

VS.

LORAN EUGENE HALL, SR.,

Defendant.

MAY 0 4 1990 🗸

Jack C. Silver, Clerk Criminal No. 89-CR-83-04-E. DISTRICT COURT

OBA #1256

## APPLICATION FOR EXTENSION OF TIME TO FILE MOTIONS

COMES NOW, Paul D. Brunton as attorney of record for the above named Defendant and for his application for an order allowing an extension of time to file motions in the above numbered matter, states to the Court as follows:

- That counsel would request an extension of time to file motions due to his trial schedule.
- That counsel has been in contact with A.U.S.A. Jack Morgan and he does not object to an extension.

WHEREFORE, an extension to file motions in the above-styled and numbered matter is hereby requested.

Respectfully submitted,

PAUL D. BRUNTON

OBA #1256

attorney for the Defendant

LORAN EUGENE HALL, SR.

1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

## CERTIFICATE OF DELIVERY

I hereby certify that on this <u>Ho</u> day of <u>Man</u>, 1990 a true and correct copy of the above and foregoing Application for Extension of Time to File Motions was delivered to the U.S. Attorney's Office, Federal Building, 333 West Fourth Street, Tulsa, Oklahoma 74103.

PAUL D. BRUNTON

020

	20 (Int 1/88) APPOINTN	MENT OF AND A						
1	RISDICTION 3 APP	IER	2. MAG. DOCK	ET NO.	3. DIST. CT CKE	T NO. VOU	CHER NO.	154825
4. AP		R (DISTRICT/CIRCUIT)  D OKLAHOMA	6. LOC. CODE		7. CHARGE/OFFE 21:846	NSE (U.S. or code cit		7A. CASE CODE 68
	THE CASE OF ited States vs	Loren Hall			ON REPRESENTED (F	ULL NAME)		9A. NO. REPRES.
	ERSON REPRESENTED (STAT		5 OTHER	11. PROC	EEDINGS (Describe b	oriefly)		- ABN
2	DEFENDANT-JUVENILE	4 APPELLEE						
	AYMENT CATEGORY  E FELONY  C D F	PETTY OFFENSE E	OTHER		ALL PRO	CEEDINGS	_	
	MISDEMEANOR D A	APPEAL-				F	IL	$\mathbf{E} \mathbf{D}$
	OURT ORDER							
	Appointing Counsel F		ubs. for Panel Atty	y	Name of I	prior panel a	PRV2 0	1990 A
	☐ Co-Counsel R ☐ Subs. fo			Appt. Date		V	oucher No	
ot	ecause the above-named "person therwise satisfied this court that	he or she (1) is financial	ly unable to empl	nas oy 14	NAME OF ATTORN	SYPAYEEK	C. Silve	r. Clerk
ju	ounsel and (2) does not wish to vistice so require, the attorney wh	valve counsel, and becau lose name appears in iter	ise the interests of m 14 is appointed		Paul D. Brunt		DISTRICT	COURT
re	epresent this person in this case.	10	mylennon		1310 South De	- Contraction		
	Sign of Description Legisla	al Officer or By Order of			Tulsa, Oklaho		9	
	Sig. of Presiding Judicia	al Officer of By Order of	Court (Clerk/De	puty)		***		
	April 17, 1990	<b>•</b>		15	. TELEPHONE NO.	16	SOC. SEC.	
	Date of Order		ro Tunc Date		918/582-1993		445-44-	-7637
	SERVICE		M FOR SERVI				1	
17.	SERVICE  Arraignment and/or Plea		HOU	RS	DATE	S		ply rate per hour total hours to
	. Bail and Detention Hearings						obtai	n "In Court" ensation.
-	. Motions Hearings							total below.
F 0	1. Trial						Enter	total below.
OURT e	e. Sentence Hearings							
0 1.	. Revocation Hearings							
Z g	. Appeals Court							TOTAL IN
h	. Other (Specify on additional s		7 7 7 7					COURT COMP.
(Rate per hour = \$60 ) TOTAL HOURS =			S =				\$	- 19 - 19
	. Interviews and conferences . Obtaining and reviewing recor						times	ply rate per hou total hours.
> <del> </del>	. Legal research and brief writin					<del></del>	court	total "out of" "compensation
U	. Travel time (Specify on addition							TOTAL OUT OF
40 T	. Investigative and other work (	Specify on additional sh	eets)					COURT
TUO	(Rate per hour =	40 ) TOTAL HOUR	S=				\$	
	TRAVEL, LODGING, MEALS E	ETC. AMOUNT	(	OTHER EX	PENSES	AMOUN"		TOTAL TRAVEL
								EXP.
-				40000			\$	
ES							19B.	TOTAL OTHER EXP.
EXPENS							s	11 m
x  -							20. G	RAND TOTAL
m							C	LAIMED
							\$	and the second
	ERTIFICATION OF ATTORNE		D		то	)		
F ∐ Has co	Final Payment     Interim Pa	ayment No ent for work in this case	previously been a	applied for?	TYES TNO			-20
If yes,	, were you paid? YES No	O If yes, by whom were	you paid?	Но	w much?	_ Has the per	son represent	ted paid any
mone; If yes,	y to you, or to your knowledge t , give details on additional sheets	o anyone else, in conne	ction with the ma	tter for whi	ch you were appointed	d to provide re	presentation	? LYES LINO
l swea	ir or affirm the truth or correctnostatements						<b>•</b>	
		The state of the s	RE OF ATTORNE				DATE	
		OUT OF COURT COM		LEXPENS		EXPENSES	AF	OTAL AMT. PPROVED/CERT.
UZ \$  \$  \$  \$ ≥≥ 27. SIGNATURE OF PRESIDING JUDICIAL OFFICER					\$ DATE		\$	UDGE/MAG.
APPROVED OR PAYMENT					DATE		2/A.3	ODE ODE
FOR 5	8. SIGNATURE OF CHIEF JUD	GE, CT. OF APPEALS	(OR DELEGATE	)	DATE		29. TO	OTAL AMT. PPROVED

# United States District Court Northern DISTRICT OF Oklahoma

		Northern	DISTRICT OFOK.	Lationa
		UNITED STATES OF AMERICA V.	ORDER OF	DETENTION PENDING TRIAL
		Loran Eugene Hall, Sr.	Case Number:	89-CR-83-01-E
1	n acco	Defendant	(f) a detention hearing has been	held. I conclude that the following facts require the
deten	tion o	f the defendant pending trial in this case.	(1), a detention hearing has been	neid. I conclude that the following facts require the
	(1)	Pa The defendant is charged with an offense descrilocal offense that would have been a federal offense a crime of violence as defined in 18 U.S.C. an offense for which the maximum senten an offense for which a maximum term of its content of the sentence	ense if a circumstance giving rise §3156(a)(4). ce is life imprisonment or death.	Jack C. Silver Clork
		18 U.S.C. §3142(f)(1)(A)-(C), or comparab	le state or local offenses.	two or more prior federal offenses described in
Ш	(2)	The offense described in finding (1) was comm offense.	itted while the defendant was or	release pending trial for a federal, state or local
	(3)		since the (date of conviction) (re	lease of the defendant from imprisonment) for the
	(4)	Findings Nos. (1), (2) and (3) establish a rebutt assure the safety of (an)other person(s) and the	able presumption that no condit community. I further find that the	tion or combination of conditions will reasonably e defendant has not rebutted this presumption.
X	(1)	There is probable cause to believe that the defend for which a maximum term of imprisonments		ibed in <u>21 U.S.C. Sec.801 et</u> .s
X	(2)	under 18 U.S.C. §924(c). The defendant has not rebutted the presumpti reasonably assure the appearance of the defenda	on established by finding 1 that ant as required and the safety of t	t no condition or combination of conditions will the community.
_		A	Iternative Findings (B)	
	(1)	There is a serious risk that the defendant will no	ot appear.	
	(2)	There is a serious risk that the defendant will en	danger the safety of another per	son or the community.
_		Part II - Written	Statement of Reasons for Dete	ntion
l he ev	find the	nat the credible testimony and information submitted that	ed at the hearing establishes by (cl	lear and convincing evidence) (a preponderance of
	(1)	There is probable cause	to holions the De	6
	act	s charged in the indictment	it: and (2) Defend	dant committed the dant has elected not to make
	any	proffer or submit any oth	<u>ner evidence which</u>	a would rebut the presump-
	TIC	on arising per 18 U.S.C. Se	ec. 3142(e) that t	there are no conditions or
	CON	nbination of conditions whi	ch would reasonal	oly assure Defendant's
	rea	appearance in court.		
		Don't HIL E	N	
enda n rec narsh	nt sha quest on al for	efendant is committed to the custody of the Attorarate, to the extent practicable, from persons a all be afforded a reasonable opportunity for privatof an attorney for the Government, the person in the purpose of an appearance in connection with	waiting or serving sentences or te consultation with defense cou charge of the corrections facility	being held in custody pending appeal. The densel On order of a court of the United States or
Dated	:	April 17, 1990	Jerrey	Signature of Judicial Officer  S. WOIFE, U.S. MAGISTRAGE
			$I_N$	ame and Title of Judicial Officer

<sup>\*</sup>Insert as applicable: (a) Controlled Substances Act (21 U.S.C. §801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. §951 et seq.); or (c) Section 1 of

CRIMINAL INFORMATION SHEET USPO Johnson
March 17 , 1990, Before Magistrate: Wagner() Wolfe
Case No. 89-CR-83-EV USA V. LOREN Hall Sa
Defendant's Age 60 Sex M Date of Birth 1-4-30
Defendant's Address: 1619 E. 1844
Newton , KS         3/6-283-1028           City/State         Zip Code         Phone #
Date of Arrest: Arrested by:
Bail Recommendation: \$ (Cash/Surety) (10%) Tunsectored DU. S. Attorney concurs in Bail Recommendation: () yes () no APK 17 1990
Bail Fixed at: \$ (Cash/Surety) (10%) (Unsecured) Bail Made: () yes () no Jack C. Silver, Clerk
Special Conditions: (Any additional special conditions C. P. STRICT COURT
( ) Report as Directed ( ) Travel restriction to ND/OK & of alcohol  ( ) Medical or Psychiatric treatment as directed ( ) Surrender passport ( ) Maintain or actively seek ( ) Refrain from excessive use of alcohol ( ) Successful participation in drug screening ( ) Avoid contact with:
<pre>employment *( ) See reverse for additional conditions.</pre>
Detention Hearing Scheduled:
Defendant Requests Public Defender: yes no that
Defendant's Attorney: Druge Miles of Wichita (Ct. Appt)  1359 S. Broadway 67211 316-263-825/ Address City/State/Zip Phone
Government's Attorney: VACK Mengar
MINUTE:  ( ) Deft appears for IA: (w/ret counsel) (ct appt) (w/out counsel)  ( ) Finan. Affid. rec'd, FPD appt &: () present () not present  ( ) Waiver of counsel executed for IA only  ( ) Bond set; bond & cond of rel executed  ( ) Arraignment held, deft pleads NG, ct accepts  ( ) Scheduling dates to be mailed to counsel
() Initial Appearance continued to
Netention Wes held & detained
The Dout so reasonabling detention
IPP appt'd as local lours

## FINANCIAL AFFIDANT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

M1	UNITED STA	
IN THE C	CASE OF	vs. Hall FOR NO OK  AT TUSA, OK
<b>L</b> \( \)	8141-	DOCKET NUMBERS    Defendant—Adult   2   Defendant—Juvenile   3   Appellant
	EMPLOY- Ment	Name and address of employer:  IF YES, how much do you earn per month? \$ IF NO, give month and year of last employment How much did you earn per month \$ 1282   Factor    If married is your Spouse employed?   Yes   No   Drugger    If YES, how much does your Spouse earn per month \$ Parents or Guardian's approximate monthly income \$
ASSETS 🔫	OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? Yes No  IF YES, GIVE THE AMOUNT  RECEIVED & IDENTIFY \$ 832 Ma  THE SOURCES  THE SOURCES
	PROP- ERTY	Have you any cash on hand or money in savings or checking account. Yes No IF YES, state total amount \$\frac{100}{100}\$  Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No  VALUE OB  DESCRIPTION  DESCRIPTION
BLIGATION Debts	DEBT MON BILL: (LIST AIL TORS, IN BANKS, PANIES, ACCOUNT	thertzlen Clin.c - Holston K\$ \$ 1350 \$ 50 00 \$  Thertzlen Clin.c - Holston K\$ \$ 1350 \$ 50 00 \$  Thertzlen Clin.c - Holston K\$ \$ 3,500 00 \$  I certify the above to be correct.
		NATURE OF DEFENDANT (OR PERSON REPRESENTED)

WARNING: A FALSE OR

A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

## EILED

IN THE UNITED STATES DISTRICT COURT FOR THEPR 1 8 1990 NORTHERN DISTRICT OF OKLAHOMA

UNITED ST	TATES OF AMERICA,	Jack C. Silver, Clerk U. S. DISTRICT COURT
	Plaintiff,	) <b>0. 5. DISTRICT COOKT</b>
V. Lore	n Hall, Sr.	No. 89-CR-83-E
		. )
	Defendant.	j
	ORDER APPOINT	
employ caffiant(saccordance	counsel, and upon reviews) is/are financially ur	wil , 19 90, the above- vit as to financial ability to w, the Court finds that the hable to obtain counsel. In istrict of Oklahoma Plan for Act 1984,
IT I	S HEREBY ORDERED that the	:
[]	IOIIOWing:	is appointed to represent the in unless and until relieved by
[]	Federal Public Defender name(s) of a private att necessary, for appointment following:	shall forthwith furnish the orney or attorneys, as nt to represent the
(	Defendant will reimburse reasonable cost of provious accordance with his/her aby further order of the	ding representation in
[] Dated this	purposes of initial appears  s // day of // Ji	arance only.  1970.  EFFREY S. WOLFE  WITED STATES MAGISTRATE
		/ '

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	FILED
Plaintiff,	APR 17 1990 W
vs.	Jack C. Silver Cl. 1
LORAN EUGENE HALL, SR.	Jack C. Silver, Clerk U.S. DISTRICT COURT
Defendant.	) No. 89-CR-83-01-E

## MOTION FOR DETENTION AND AUTHORITY

COMES NOW the plaintiff and moves upon the first appearance of the defendant Loran Eugene Hall, Sr. that he be denied bond and held without bail, on the charges herein pending, on the ground and for the reasons:

- (1) Defendant has been charged with an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. \$801 et seq.)
- (2) There is a serious risk that the defendant will flee.
- (3) There is a serious risk that the defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure, or intimidate a prospective witness.



### AUTHORITY

For authority herein the Government cites the provision of 18 U.S.C.  $\S 3142$ , and the presumptions accorded thereto.

Respectfully submitted,

TONY M. GRAHAM United States Attorney

JOHN S. MORGAN

Assistant United States Attorney

OCDETF

3600 U. S. Courthouse

333 W. 4th Street

Tulsa, Oklahoma 74103

(918) 581-7463

JSM:vjg

# United States Mistrict Court

NOR	THERN I	DISTRICT OFOKLAH	OMA	
*				
U.S.A.				
V.			NOTICE	
LORAN EUGENE HALL,	SR.	CASE NUMBER:	89-CR-83-01-E	
PE OF CASE:				
	□ CIVIL	△ CRIMINAL		
TAKE NOTICE That a pro	oceeding in this case has	s been set for the place date, a	nd time set forth below:	
ACE		ROOM NO.		
U S COURTHOUSE TULSA OKLAHOMA		COURTROOM #	2	
TODDIT OKLIMIOTIK		MAY 21, 199	0, 9:30 A.M.	
PE OF PROCEEDING				
JURY TRIAL  TAKE NOTICE that the pi	roceeding in this case ha	s been continued as indicated	below:	
ACE	DATE AND TIME PREVIOUSL	Y CONTINUED TO, DATE		
_	SCHEDULED	AND TIME	8	
		9	τ.	
2				
		_ JACK C. SILVE		
-		U.S. MAGISTRATE OR CLERK	OF COURT	
-23-90		Beverly McCul	1 ough	
TE	e de la companya de	Beverly McCul  (BY) DEPUTY CLERK		
Paul Brunton				
Bruce Mills				
			¥	

Jack Morgan

DEFENDANT MOTIONS DUE: 5-4-90

GOVERNMENT RESPONSES DUE: 5-11-90

SEE NEW LOCAL RULES EFFECTIVE 12-1-89. RULE 15(f)

PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 5-14-90, 1:00 P.M.

REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 5-14-90

#### MINUTE SHEET - CRIMINAL

CR. CAS	SE NO. 89-CR-83-01-E
CR. CAS  DATE 4/23/90 USA VS. Laran Eug	exenc Half SV (AGE)
ARRAIGNMENT &/OR CHANGE	
JUDGE COOK Deputy R. Miller  JUDGE ELLISON Deputy McCullough  JUDGE BRETT Deputy Overton  MAG. WAGNER Deputy J.Miller  MAG. WOLFE Deputy Mayes	Recorded Ma Meyery
Counsel for Government Q Margan	
Counsel for Defendant	mills -
Retained; Court	Appointed; FPD
Defendant appears in person with counsel; with	out counsel; counsel waived
Defendant acknowledges receipt of Indictment;	Information
Waives Indictment; jury trial; 30 days prepara Waivers approved by Court	tion; separate representation
Defendant advised of charge and arraigned	
Indictment, Superseding Indictment; Information Filed; read; reading waived	n; Superseding Information;
Enter plea of as to Co	ounts
Defendant withdraws plea(s) of Not Guilty to Co	ounts
Counts to be	dismissed at sentence
Petition to enter plea of guilty sworn to and a facts of charge; petition (and/or Plea Agr	avagutad. Dafarda I
Defendant adjudged guilty as charged in Counts	7 11 21 22 2
rindings re: Plea Agreement; Made/Reserved	
Objections to PSI to be filed by	
Rule 32 hearing set	
SENTENCE SET	PSI ordered
Defendant allowed to stand on present bond; Def	fendant remanded to USM
Defendant(s) to file any and all	pre-trial motions
Government to respond	
Certification of Discovery Disput	ces
Pre-trial conference & hearing on	motions at
Parties to file any suggested voi	r dire, inst. & trial brice
Jury trial; Non-Jury trial at	
Moto 5-4-90; resp 5-11-90; PT moldley +/or C	10 E 11 60
CR-2:6/89	

#### UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK DISTRICT OF KANSAS

RALPH L. DELOACH CLERK 204 U.S. COURTHOUSE

204 U.S. COURTHOUSE 401 NORTH MARKET WICHITA, KANSAS 67202 (316) 269-6491 FTS: 752-6491

April 12, 1990

Jack C. Silver, Clerk U.S. District Court 411 U.S. Courthouse 333 W. 4th Street Tulsa, OK 74103 Wichita, Kansas

RECEIVED

APR 1 6 1990

JACK C. SILVER, CLERK U.S. DISTRICT COURT 490 U.S. COURTHOUSE 444 S.E. QUINCY TOPEKA. KANSAS 66683 (913) 295-2610 FTS: 752-2610

151 U.S. COURTHOUSE 812 NORTH SEVENTH KANSAS CITY, KANSAS 66101 (913) 236-3719 FTS: 757-3719

FILED

APR 1 7 1990 B

Jack C. Silver, Clerk
U.S. DISTRICT COURT

89-CR-83-01-E

Re: United States of America vs. Loren Eugene Hall, Sr.

Magistrate No: 90-1041M-01 - Northern Distict of Oklahoma

No. 89CR 83E

Dear Clerk:

Please find enclosed the following papers pursuant to Rule 40.

Waiver of Rule 40 Hearings Courtroom minute sheets dated 4-5-90 & 4-9-90. Order of Temporary Detention. Order Setting Conditions of Release. Appearance Bond

Please acknowledge receipt of the above papers on the enclosed copy of this letter.

Very Truly Yours,

RALPH L. DELOACH, CLERK

Bonnie Stinson, Deputy Clerk

cc: U.S. Attorney
Bryson Mills, Attorney
Magistrate Wooley

DEPUTY CLERK

51

### CLERK'S COURTROOM MINUTE SHEET - CRIMINAL

## FILED

#### PRETRIAL PROCEEDINGS

CASE NO. 90-1041 M-01

APR 0.5 1990

UNITED STATES OF AMERICA  VS.  A  R  A  Brygen Mell  C  E  S  (X) Retained	Appointed
CLERK: WIC	SAS CITY CHITAX EKA
( )Information ( )R  ( )Previous Plea: ( )Guilty ( )Not Guilty Counts: ( )Guilty Counts: ( )Not Guilty Counts: ( )Admitted ( )Denied — Being Juvenile Delinquent as ( )Forms Furnished ( )Judgment deferred ( )P.S.I. Ordered ( )Sentencing Set ( )Set for trial ( )Bail \$ ( )Continued on Present Bail (X) ( )Remain at \$ ( )Release ordered ( ) Detent ( )Counts: ( )To be Dismissed on Motion of U.	( ) FELONY ( ) MISDEMEANOR ted  to next Grand Jury on  Violation Notice umber of Counts ead to Defendant Withdrawn Accepted  charged  for:  Remanded to custody tion ordered
Motions to be filed by:	
	Briefs:

United States	District	Court FILED
	ICT OF KANSAS	APR 0 5 1990
UNITED STATES OF AMERICA		RALDH L. DeLOACH, CLERK By Stunder Deputy
V.	PENDING H	EMPORARY DETENTION EARING PURSUANT TO IL REFORM ACT
LORAN EUGENE HALL, SR.  Defendant	Case Number	90-1041M-01
Upon motion of the Government  detention hearing is set for April 9, 1990  Date		, it is ORDERED that a
before The Honorable John B. Wooley		Time
	ne of Suarciai Officer	
Wichita, Kansas Location of Ju	dicial Officer	
Pending this hearing, the defendant shall be held in custo	dy by (the United Stat	es marshal) (
Other Custodial O	fficial	) and produced for the hearing.
Date:April 5, 1990		

Judicial Officer

<sup>\*</sup>If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

## FILED

## United States District Court

APR 1 0 1990

-	DISTRICT OFKANSASRAL	2 L. DeLOACH, CLERK
UNITED STATES OF AME	RICA	Оериту
V.	WAIVER OF RULE APR 16 1990 (Excluding Prob	40 HEARINGS ation Cases)
LORAN EUGENE HALL	SR U. S. DISTRICT CHIEF	01
I, LORAN EUGENE HALL,	SR.	, understand that in the
Northern	_ District ofOklahoma	, charges are pending
alleging violation of 21 USC 841	(a)(1); 846 Mfg & Dis Drugs	and that I have been
arrested in this District and taken before right to:	re a United States Magistrate, who informed me o	of the charge and of my
to determine if I am the person named in been returned or an information filed)	nent of counsel if I am unable to retain counsel, (2 Rule 20, Fed. R. Crim. P., in order to plead guilty in the charge, and (4) a preliminary examination (u to determine whether there is probable cause to be held either in this district or the district of pro-	y, (3) an identity hearing inless an indictment has believe an offense has
I HEREBY WAIVE (GIVE UP	) MY RIGHT TO A(N):	
( X ) identity hearing		
( ) preliminary examination		
( ) identity hearing and have been i	informed I have no right to a preliminary examina	ation
	reliminary examination be held in the prosecuting	
	of an order requiring my appearance in the prosec	

pul 9, 1990 Date

Defense Counsel

#### CLERK'S JURTROOM MINUTE SHEET - CR. INAL

## FILED

### PRETRIAL PROCEEDINGS

CASE NO. 90-1041 M-01

APR-1 0 1990

UNITED STATES OF AMERICA A	Samuel 91 20 BL BOLOACH, CLERK
P	. Вериту
Joran Eugene Hall SR AN	Bryson Mills
s	(X)Retained ()Appointed
JUDGE: Woolev  CLERK: Harew Flotcher  REPORTER:	WICHITA X TOPEKA
DATE: 4-9-90 PROCEED	INGS
()CHANGE PLEA ()Def. sworn to financial status ()Constitutional Rights Explained ()Declines to Waive Indictment ()Signed Waiver of Indictment ()Signed Consent to Transfer under ()Petition to Enter Plea filed ()Waived Reading of:  wawd Monack Floury ()Previous Plea: ()Guilty ()N ()Guilty ()Not Guilty ()Admitted ()Denied Being ()Forms Furnis ()Set for trial ()Bail \$25000 ()Continued ()Remain at \$	OF INDICTMENT () MISDEMEANOR  ( ) Counsel appointed  ( ) Will be presented to next Grand Jury ( ) Information filed on Rule 20  ( ) Complaint ( ) Violation Notice ( ) Indictment ( ) Number of Counts ( ) Information ( ) Read to Defendant ot Guilty Counts: Withdrawn Counts: Withdrawn Counts: Accepted Counts: Juvenile Delinquent as charged Shed ed ( ) Sentencing Set for:  on Present Bail ( ) Remanded to custody ordered ( ) Detention ordered
( ) Continued to	issed on Motion of U.S. Attorney at Time of Sentencing.
Motions to be filed by:	
Responses or briefs filed by:	Reply Briefs:
Motions heard on:	. 0
Tentative Trial Date: 4-17-90 3:0	o Pm in Juloa, OK
<ul> <li>( ) Defendant waived Omnibus Hearing</li> <li>( ) Defendant refused to proceed in Ma District Court</li> </ul>	gistrate's Court and remanded to

21

United States	District Court & DE D
	trict of OKLAHOMACA 1990 1990
UNITED STATES OF AMERICA V.	JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT
Loren Eugene Hall, Jr	Case Number 89-CR-083-003-E
(Name of Defendant)	Jim Heslet 20 Defendant's Attorney
THE DEFENDANT:	
pleaded guilty to count(§) <u>Count One of a</u> was found guilty on count(s) <u>not a</u> plea of not guilty.	Single Count Indictment was after a
Accordingly, the defendant is adjudged guilty of Title & Section Nature of	of such count(s), which involve the following offenses:    Count Number(s)
Possession W	co Manufacture, Count One With Intent to Methamphetamine
The defendant is sentenced as provided in pages a imposed pursuant to the Sentencing Reform Act of	2 through of this Judgment. The sentence is f 1984.
<ul> <li>□ The defendant has been found not guilty on contain and is discharged as to such count(s).</li> <li>□ Count(s)</li></ul>	in the portion of this Judgment that imposes a fine
It is further ordered that the defendant shall no 30 days of any change of residence or mailing ac assessments imposed by this Judgment are fully p	otify the United States Attorney for this district within ddress until all fines, restitution, costs, and special aid.
Defendant's Soc. Sec. Number: 512-64-7511	November 21, 1989
Defendant's mailing address: 211 Overlook Drive	Date of Imposition of Sentence  James Ollicon
Derby, Kansas 67037	Signature of Judicial Officer The Honorable James O. Ellison United States District Indian
Defendant's residence address: Same as above	United States District Judge Name & Title of Judicial Officer
	Date

Defendant: Loren Eugene Hall, Jr Case Number: 89-CR-083-003-E	Judgment—Page of
Odde Number: 89-CR-083-003-E	IMPRISONMENT
The defendant is hereby committed imprisoned for a term of <u>Sixteen</u> (1	to the custody of the United States Bureau of Prisons to be 6) months
☐ The Court makes the following recom	mendations to the Bureau of Prisons:
<ul><li>☐ The defendant is remanded to the cus</li><li>☐ The defendant shall surrender to the l</li></ul>	stody of the United States Marshal.  United States Marshal for this district,
a.m.	
$\ \square$ as notified by the Marshal.	
The defendant shall surrender for service	e of sentence at the institution designated by the Bureau of Prisons
☑ before ½2x paunik xoxo 12:00 Noon ci	1 January 2, 1990
<ul><li>as notified by the United States M</li><li>as notified by the Probation Office</li></ul>	
v g	RETURN
I have executed this Judgment as fol	lows:
Defendant delivered on 1-6-90	to at , with a certified copy of this Judgment.
	John C Squeh warden

Judgment—Page 3 of 4
efendant: Loren Eugene Hall, Jr ase Number: 89-CR-083-003-E
SUPERVISED RELEASE
Upon release from imprisonment, the defendant shall be on supervised release for a term of
While on supervised release, the defendant shall not commit another Federal, state, or local crime and
all comply with the standard conditions that have been adopted by this court (set forth on the following ge). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that e defendant pay any such restitution that remains unpaid at the commencement of the term of supervised ease. The defendant shall comply with the following additional conditions:
The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
N/A
fre

Judgment—Page 4 of 4

Defendant: Loren Eugene Hall, Jr.

Case Number: 89-CR-083-003-E

United States District Court ) SS Northern District of Oklahoma ) SS I hereby certify that the foregoing Is a true copy of the original on file In this Court.

Jack C. Silver, Clerk

#### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification
- 15) the defendant shall not possess a firearm, or any other dangerous weapon. These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation

# United States District Court

	NOI	DIST	RICT OFOKLA	HUMA
	U.S.A.			
	V.			NOTICE
	DAVID ROYSE LADD		CASE NUMBER:	89-CR-83-05-E
TYPE OF	CASE:	□ CIVIL		<del></del>
	TAKE NOTICE That a proc	eeding in this case has beer	n set for the place date,	and time set forth below:
PLACE	U. S. COURTHOUSE TULSA OK		ROOM NO. COURTROOM	#2
				990, 9:00 A.M.
TYPE OF	PROCEEDING			
	SENTENCE			
	v	90		
	TAKE NOTICE that the pro	ceeding in this case has bee	en continued as indicate	d below:
PLACE		DATE AND TIME PREVIOUSLY SCHEDULED	CONTINUED TO, DATE AND TIME	
			JACK C. SII	
3-2	2-90			
DATE			Beverly Mc(	Cullough

To: Defendant John Dowdell Jack Morgan

 $\sqrt{b}$ 

#### AINUTE SHEET - CRIMINAL

CR. CASE NO. 89 'CR-83-05-E
DATE 3/2/90 USA VS. David Repe Ladd (AGE) 30
ARRAIGNMENT & OR CHANGE OF PLEA
JUDGE COOK Deputy R. Miller Reporter Simpson
JUDGE ELLISON Deputy McCullough Reporter Dorrough
JUDGE BRETT       Deputy Overton       Reporter Caslavka         MAG. WAGNER       Deputy J.Miller       Reporter
Recorded
MAG. WOLFE Deputy Mayes Reporter Recorded
Counsel for Government A Margan
Counsel for Defendant _ & Dowdell i/
Retained; Court Appointed; FPD
Defendant appears in person with counsel; without counsel; counsel waived
Defendant acknowledges receipt of Indictment; Information
Waives Indictment; jury trial; 30 days preparation; separate representation
Waivers approved by Court
Defendant advised of charge and arraigned
Indictment, Superseding Indictment; Information; Superseding Information;
riled, reading walved
Enter plea of as to Counts/
Defendant withdraws plea(s) of Not Guilty to Counts/
Counts to be dismissed at sentence
Letition to enter plea of guilty sworn to and executed; Defendant relates facts of charge; Detition (and Plea Agreement) approved and filed
Defendant adjudged guilty as charged in Counts/
Findings re: Plea Agreement; Made/Reserved
Objections to PSI to be filed by
Rule 32 hearing set
Rule 32 hearing set  SENTENCE SET May 15, 1990 9:00 A.M. USI ordered  Defendant allowed to stand on The Property of the Proper
Defendant allowed to stand on present bond; Defendant remanded to USM
Defendant(s) to file any and all pre-trial motions
Government to respond
Certification of Discovery Disputes
Pre-trial conference & hearing on motions at
Parties to file any suggested voir dire, inst. & trial briefs
Jury trial; Non-Jury trial at
CR-2:6/89

E		200
	2 1990	7
Ja	ck C. Silver Cloth	_

U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff, Criminal Case No. 89.92-83-05 David Royse Ladd

#### WAIVER OF JURY

I, the undersigned defendant, having been fully apprised of my rights, do hereby waive a jury and agree to try the aboveentitled case to the Court as provided by Rule 23(a), Rules of Criminal Procedure.

GOVERNMENT:

Attorney for Defendant

Signed and approved in open Court this \_\_\_\_\_\_ day of March\_, 1990.

#### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

U.S. DISTRICT

Rules 10 and 11)

UNITED STATES OF AMERICA, )	No. 89-CR-83-05-E
Plaintiff, )	PETITION TO ENTER PLEA OF GUILTY AND
vs.	ORDER ENTERING PLEA
DAVID ROYSE LADD,	(Federal Rules of Criminal Procedure,

The defendant represents to the Court:

Defendant.

- (1) My full true name is: \_ David Royse Ladd I am 30 years of age. I have gone to school up to and including completed approximately. I request that all proceedings against me be in my true name. / one year of college at Malone College, Canton, Ohio.
- (2) I am represented by a lawyer; his/her name is: John E. Dowdell, Esq.
- (3) I received a copy of the Indictment before being called upon to plead. I read the Indictment and have discussed it with my lawyer. I fully understand every charge made against me.
- (4) I told my lawyer all the facts and circumstances known to me about the charges made against me in the Indictment. believe that my lawyer is fully informed on all such matters.
- (5) I know that the Court must be satisfied that there is a factual basis for a plea of "GUILTY" before my plea can be accepted. I represent to the Court that I did the following acts in connection with the charge(s) made against me in Count(s)

On various occasions beginning in late 1988, I assisted other named defendants, On various occasions beginning in late 1988, I assisted other named defendants, specifically Ioren Hall, Sr. and Ioren Hall, Jr. in the acquisition of chemicals and related objects (such as glassware) which was to be utilized in an attempt to manufacture methamphetamine. The conspiracy of the Halls and others regarding the manufacture of methamphetamine was already ongoing when they sought my assistance. I assisted the Halls in the acquisition of these materials knowing that it would be used in an attempt to manufacture methamphetamine. On one occasion, I was present when an attempt was made to manufacture (or "cook") methamphetamine. To my knowledge, that attempt failed.

(In the above space defendant must set out in detail what (s)he did. If more space is needed, add a separate page.)

NOTE: If the space provided is not sufficient for a complete response, you should add an attachment and indicate an answer is made in attachment.

<sup>&</sup>quot;Indictment" also includes "Information."

- (6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.
- (7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.
- (8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".
- (9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.
- (10) Know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.
- (11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment, which, as provided by law is 20 years imprisonment and/or a fine of 1,000,000.00. My lawyer has further advised me that if the offense(s) to which I plead "GUILTY" occurred on or after January 1, 1985, the maximum fine is the largest of:
  - (a) The amount specified in law defining the offense
  - (b) Double the gross pecuniary gain derived by a defendant from the offense
  - (c) Double the pecuniary loss caused by the offense to another person

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(d) Any Felony; Misdemeanor resulting in Death Other Misdemeanor punishable by more than six months

Individual Def.Other Def.\$ 250,000\$500,000100,000200,000

My lawyer has also advised me that a Special Monetary Assessment in the amount of  $\frac{50.00}{}$  will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least \_\_\_\_\_ years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seq. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

- (12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.
- (13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:

CR-4:5/89

(Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) of this petition.)
If anyone else, including my attorney, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.
I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".
(14) My plea of "GUILTY" (is) (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.
Since my plea of "GUILTY" is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:  See attached plea agreement.
I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".
(15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.
(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:
Crifty As charged in the indictment
"The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s)", "NOT GUILTY as charged in Count(s)".

CR-4:5/89

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(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are:

Depakote -- A prescription drug I am taking in order to attempt to control chronic seizures which originated in a construction accident on September 9, (Mnone, so state.)

(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)

Though I have never been found to be "mentally incompetent" or "mentally ill", I have been found to have suffered from brain damage as a result of the accident referred to in paragraph 17. Attached hereto as Exhibit "B" is a letter from my neurologist dated December 7, 1988, regarding the diagnosis of brain damage.

- (19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.
- (20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.
- (21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.

		· JOLICO								
my	Signed attorney,	and Swo	orn to by m	ne in op day of	en	Court	, in the		nce	of 
						De	I Por	se f	Defend	/
										1
	Subscri	bed and	Sworn to	before	me	this	2		day	of

BM Cullengt Deputy Clerk

CR-4:5/89

#### CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant David Royse Ladd , hereby certifies:

- (1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.
- (2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553 et seq., and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

- (3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.
- (4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.
- (5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".
- (6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

I have advised the defendant of the impact which a substantial assistance motion (Section 5kl.1) or a Rule 35(b) F.R.Crim.P. motion may have upon the Sentencing Guidelines.

(7) I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him/her the opportunity to withdraw his/her plea of "GUILTY".

CR-4:5/89

Committee there was a man in the

Signed by me in open Court in the presence of the defendant above named and after full discussion of the contents of this certificate with the defendant, this day of, 19
Jal G. Sowlelf
Attorney for the Defendant
<u>O R D E R</u>
I find that the plea of "GUILTY" was made by the defendant freely, voluntarily, and because (s)he is "GUILTY" as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime(s) charged and that there is a factual basis for the pleas(s) of "GUILTY" and the defendant is mentally competent.
IT IS THEREFORE ORDERED that the defendant's plea(s) of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of his/her lawyer.
Done in open Court this day of
Janua Ollian

#### U.S. Department of Justice



#### United States Attorney Northern District of Oklahoma

3600 United States Courthouse 333 West 4th Street Tulsa. Oklahoma 74103 918/581-7463

January 17, 1990

Mr. John E. Dowdell Attorney at Law 2900 Mid-Continent Tower Tulsa, Oklahoma 74103

Re:

United States v. David Royse Ladd, No. 89-CR-83-05-E

Northern District of Oklahoma

Dear Mr. Dowdell:

Pursuant to our discussions, and David Royse Ladd's desire to enter a plea of guilty to the above referenced One Count Indictment, this letter constitutes a plea agreement. As this offense occurred after November 1, 1987, the sentence in this case will be set in accordance with the Sentencing Guidelines. To calculate such a sentence the amount of controlled substance involved will be the primary factor in the determination of the offense level.

Mr. Ladd currently stands charged with one count of violating Title 21, U.S.C. § 846, 841(a)(1), Conspiracy to Manufacture; Possess with Intent to Distribute and to Distribute Methamphetamine. After the amount of controlled substances is established and an offense level is determined, as pertains to this conspiracy, additional calculations, whether reductions or increases will be left solely to the determination of the sentencing judge.

Should your client plead guilty to the said Indictment, the maximum punishment under the statute is 20 years imprisonment, a \$1,000,000.00 fine, a \$50.00 special assessment, and a minimum term of three years supervised release.

Timely acceptance of responsibility (§ 3E1.1) allows a 2 point level of reduction, if he agrees to the following:

- 1. Enter a plea of guilty on or before the current trial date thereby assuming personal responsibility for the offense;
- 2. Voluntary termination or withdrawal from criminal activity or associations;
- 3. Voluntary and truthful admission to all government authorities, before sentencing, of his involvement in the



Mr. John E. Dowdell, Esq. January 17, 1990 Page 2

The sentencing judge is in a unique position to evaluate the acceptance of responsibility and his determination will provide the final approval of such 2 level reduction of the offense level.

Our preliminary understanding of the pertinent facts and circumstances, as they are known to us at this time, indicates that your client's associations would enable him significantly to assist the pursuit of justice by providing direct first-hand information concerning alleged criminal acts and transactions.

Accordingly, the government is willing to enter into the following agreement with your client, David Royse Ladd concerning investigations being conducted by various law enforcement agencies. In return for your client's cooperation and truthful testimony before any federal grand jury investigating illegal matters, as well as truthful testimony in any trial, including the current charge, against any defendant, or in any trial that may arise out of any case, or any investigation or related investigations in other federal districts, and his plea of guilty to the above referenced Indictment, the government will not subject him to additional federal criminal prosecutions for any criminal acts he committed in connection with such conspiracy, and will grant him immunity for the use of his disclosures and testimony. Additionally, the government agrees to advise the sentencing court, by motion before sentencing and/or after sentencing pursuant to Rule 35(b), F.R.C.P., that the defendant has made a good faith effort to provide substantial assistance (§ 5K1.1), if he has in fact done so, thereby allowing the court to a downward departure from the guidelines. The undersigned government attorney will determine whether your client has in fact cooperated as required by this agreement.

The actual sentence rendered by the district court following your client's plea of guilty remains in the sole discretion of the trial judge and the government cannot predetermine what would be the final result of the court's evaluation and decision after all factors are considered.

The assurance that your client will be granted "use" immunity and will not be subject to additional federal criminal prosecutions for such matters is being given to ensure that the government and the public will receive the full benefit of the knowledge and information in your client's possession and his complete, candid and truthful testimony concerning the activities of the individuals and the operations or entities involved in any narcotics/drug organization. Therefore, the government's representation to your client in this regard is expressly conditioned upon his complete cooperation with any and all government investigations concerning the above referenced case and other investigations and/or cases, including any criminal prosecutions that may develop or have developed therefrom. In this connection, he agrees to make himself available to federal and state law enforcement personnel for interviews as and when reasonably requested by them.

As indicated above, the government defines "cooperation" to require compete, candid and absolutely truthful disclosures by your client in response to any and all questions or



Mr. John E. Dowdell, Esq. January 17, 1990 Page 3

inquiries that may be put to him in connection with such investigations, actions or proceedings, whether in interviews with federal, state, or local law enforcement personnel, before a Grand Jury or at trial. Should your client's statements or testimony be false, misleading or materially incomplete, or should he knowingly fail to act with total honesty and candor in any such matter, the government will no longer be bound by its representation to him concerning his freedom from additional criminal prosecutions as set forth above. In that event, he could not only be prosecuted for any additional federal criminal offenses presently known to or hereafter discovered by the government, but also for perjury and/or false statements as well.

I trust that the foregoing accurately sets forth the terms of our agreement. If these terms are acceptable to you and your client, please indicate your acceptance by signing this letter in the spaces provided below.

Very truly yours,

TONY M. GRAHAM

nited States Attorney

JOHN S. MORGAN

Assistant United States Attorney Organized Crime Drug Enforcement

Task Force (OCDETF)

DAVID ROYSE LADD

Defendant

JOHN E. DOWDELL Attorney for Defendant

Date

JSM:kp

#### DALLAS NEUROLOGICAL ASSOCIATES 299 W. CAMPBELL ROAD RICHARDSON, TEXAS 75080

(214) 783-8900

December 7, 1988

RE: DAVID LADD

TO WHOM IT MAY CONCERN:

Mr. David Ladd is a patient of mine whom I have followed since 10-21-88. The diagnosis made at that time was post traumatic seizure disorder and migraine headaches. He was given prescriptions for Depakote and Vistoril at that time. Later that year Amitriptyline was added, along with occassional Tylenol #3, and then Tranxene. In March, 1988, he was admitted to the Richardson Medical Center because of a problem with sleeping more than 20 hours per day. After all medications were discontinued, he slowly became more alert and got back to a normal sleep-waking pattern and he was both headache and seizure free on Procardia, 10 mg., po tid. was felt that he had an idiosyncratic reaction to Transxen and/or a prolonged complex migraine headache. He was later hospitalized at Southwest Methodist Hospital in Mesquite, September 19-29, when he went into status epileptius and developed an aspiration pneumonia. He was in a coma until September 27th. Since then he had been on Depakote, 1000 mg., bid, and he has had no further seizures. Since then he has had a problem with recent memory (can't keep dates, names, appointments, recall conversations, follow instructions) which was not a problem before that. This disables him for his previous occupation (a technical service electrician), and he can't solder, shakes if he stands on a ladder. He is seeking job retraining with the Texas Employment Commission, but it is likely to be difficult for him to find employment with this degree of brain damage. can't do fine work with his hands, can't drive a car at night, can't read for long (eyes blur, left greater than right). I feel that he is probably permanently disabled to some extent, although he may recover some of his intellectual functions slowly.

Please contact me if there are any questions.

Sincerely,

Jonathan E. Walker, M.D.

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JEW/rg

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

vs. BARBARA MART	Plaintiff,	) ) ) Crim. No. 89	Jack C. 115 DIST 9-CR-83-04-E	Silver, Clark				
MEMORANDUM OF SENTENCING HEARING AND REPORT OF STATEMENT OF REASONS								
Counsel a set forth were rev were stated in op	and the Defendant were present viewed and considered. The re- tion court.	nt for sentencing hearing assons for sentence, 18	ng on January 26, 3 U.S.C. 3553(c), a	1990. The matters as set forth herein,				
1. V	Vas the presentence investigat	ion report (PSI) reviev	ved by counsel an	ıd Defendant?¹				
2. (a	a) Was information withh	eld pursuant to FRCrF	<u>x</u> Yes 232(c)(3)(A)?	No				
(1	b) If yes, has summary be	en provided by the Co	Yes urt pursuant to FF Yes	<u>x</u> No  RCrP 32(c)(3)(B)?  No				

Were all factual statements contained in the PSI adopted without objection?

\_x\_ Yes

3.

(a)

<sup>&</sup>lt;sup>1</sup>NOTE: Several of these questions can be addressed by attaching a partial transcript of the sentencing hearing or guideline worksheets. For other items where you need more space, please attach separate pages.

If no, the PSI was adopted in part with the exception of the following factual issues in dispute:

\*

(A (	сору о	f the	adopted	portions	of	the PSI	should	be	attached	and	made	part	of	the	public	record	.)
------	--------	-------	---------	----------	----	---------	--------	----	----------	-----	------	------	----	-----	--------	--------	----

	(b)	Disputed issues have been resolved as follows after evidentiary hearing, further submissions and/or arguments:
4.	Are an	y legal issues in dispute? Yesx No
	If yes,	describe disputed issues and their resolution:
		*
5.	(a)	Is there any dispute as to guideline applications (such as offense level, criminal history category, fine or restitution) as stated in the PSI?
		Yesx No
		If yes, describe disputed areas and their resolution:
		*
	(b)	Tentative findings as to applicable guidelines are:
		Total Offense Level: 30  Criminal History Category: I  97 to 121 months imprisonment  * to 3 years supervised release  \$ 17,500 to \$ 1,000,000 fine  (plus cost of imprisonment/supervision  \$ N/A restitution  \$ 50 special assessment (\$50 on each of one count)
6.	(a)	Are there any legal objections to the tentative findings?
		Yes <u>x</u> No
	(b)	If no, the findings are adopted by the Court.
	(c)	If yes, describe objections and how they were addressed:

7.	Check	арргорг	iate spac	:e:						
	<u>x</u>	Remar recomm practio	mendatio	counsel ons and	for Defe allocution	endant. may be	(The o	rder of in accord	argument with the	and/or Court's
	<u>x</u>	Defend	lant spea	ıks on o	wn behalf.					
	<u>x</u>	Remar	ks by co	unsel for	Governme	ent.				
8.	The ser		vill be im	posed in	accordanc	e with pre	escribed fo	orms in Bei	nch Book S	ec. 5.02
		Month	s impriso	onment						
		Month	s/interm	ittent co	mmunity o	onfineme	nt			
	_60	Month	s probati	ion						
		Month	s superv	sed rele	ase					
	\$		Fine (i	ncluding	cost of im	prisonme	nt/superv	ision)		
	\$		Restitu	tion						
	\$ <u>50</u>	.00	Special	assessm	ent (\$	(	on each o	f counts _	)	
	Other 1	provisio	ns of sen	tence (C	ommunity	service, f	orfeiture,	etc.):		
		*								
9.	Check	appropr	iate spac	e:						
	(a)		The ser	itence is iths, and	within the l the Cour plication o	t finds no	reason t	d that rang o depart f	ge does not from the s	exceed entence
	OR		The ser	ntence is	within the reasons f	ne guideli for imposi	ne range ng the se	and that lected sen	range exce tence are:	eds 24
				*						
	(b)	<u>x</u>	Sentend	e depar	s from the	guideline	e range a	s a result	of:	
			_x_	substan	tial cooper	ation upo	n motion	of the go	vernment	
			OR							
				into cor	tance exists sideration	s that is of by the Se	a kind or entencing	degree not Commissi	or miti adequatel on in form ace differe	y taken ulating

that described by the guidelines for the following reasons:

(c)	Is restitution applicable in this case? Yes No
	Is full restitution imposed? Yes No
	If no, less than full restitution is imposed for the following reasons:
	*
(d)	Is a <b>fine</b> applicable in this case? <u>x</u> Yes No
	Is the fine within the guidelines imposed? Yesx No
	If no, the fine is not within guidelines or no fine is imposed for the following reasons:
	x Defendant is not able, and even with the use of a reasonable installment schedule is not likely to become able, to pay all or part of the required fine; or
	Imposition of a fine would unduly burden the Defendant's dependents; or
	Other reasons as follows:
	*
Was a	plea agreement submitted in this case? Yes No
Check	appropriate space:
<u>x</u>	The Court has accepted a Rule ll(e)(1)(A) charge agreement because it is satisfied that the agreement adequately reflects the seriousness of the actual offense behavior and accepting the plea agreement will not undermine the statutory purposes of sentencing.
	The Court has accepted either a Rule $ll(e)(1)(B)$ sentence recommendation or a Rule $ll(e)(l)(C)$ sentence agreement that is within the applicable guideline range.
	The Court has accepted either a Rule ll(e)(l)(B) sentence recommendation or a Rule ll(e)(l)(C) sentence agreement that departs from the applicable guideline range because the Court is satisfied that such a departure is authorized by l8 U.S.C. 3553(b).
Suggest to this	tions for guideline revisions resulting from this case are submitted by an attachment report.
	Yesx No
The PS	I is to be maintained by the U.S. Probation Office under seal. Those sections

10.

11.

12.

adopted and incorporated as part of this statement of reasons will be part of the public record.

- 13. The Clerk shall prepare the judgment.
- 14. The Clerk will provide this Memorandum of Sentencing Hearing and Report of Statement of Reasons to the U.S. Probation Department for forwarding to the Sentencing Commission, and if the above sentence includes a term of imprisonment, to the Bureau of Prisons.

DATED this Aday of January, 1990.

JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

# United States District Court

NORTHERN

District of

**OKLAHOMA** 

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

٧.

JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Barbara Marteney	Case Number 89-CR-083-004-E
(Name of Defendant)	Ronald Bennett  Defendant's Attorney
THE DEFENDANT:	Defendant's Attorney
<ul> <li>         □ pleaded guilty to count(s)</li></ul>	after a
Accordingly, the defendant is adjudged guilty of <a href="Title &amp; Section">Title &amp; Section</a> <a href="Mature of Color: Blue of Color: White Section">Nature of Color: Blue of Color: Blu</a>	such count(s), which involve the following offenses:    Count Number(s)
	Manufacture and One ntent to Distribute
The defendant is sentenced as provided in pages 2 imposed pursuant to the Sentencing Reform Act of 1  The defendant has been found not guilty on cour and is discharged as to such count(s).  Count(s)	1984. ht(s),
United States.  The mandatory special assessment is included in It is ordered that the defendant shall pay to the U which shall be due immediately.	the portion of this Judgment that imposes a fine
It is further ordered that the defendant shall noti 30 days of any change of residence or mailing add assessments imposed by this Judgment are fully pai	fy the United States Attorney for this district within lress until all fines, restitution, costs, and special d.
Defendant's Soc. Sec. Number:	
511-60-0776	_ January 26, 1990
Defendant's mailing address: 406 South Acres	Date of Imposition of Sentence  Signature of Judicial Officer
Dallas, Texas 75127	James O. Ellison, U. S. District Judge
Defendant's residence address:	Name & Title of Judicial Officer

January 26, 1990

Same

	Judgment—Page $\frac{2}{}$ of $\frac{3}{}$	_
Defendant: Marteney, Barbara Case Number: 89-CR-083-004-E		

#### **PROBATION**

The defendant is hereby placed on probation for a term of	Five (5) years
	Tive (J) years

While on probation, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this Judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

You shall participate in substance abuse counseling and screening as directed by the United States Probation Office.

	_		_	
Judgment—Page	3	of	3	

Defendant: Marteney, Barbara Case Number: 89-CR-083-004-E

#### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer:
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall submit to urinalysis as directed by the U. S. Probation Office. These conditions are in addition to any other conditions imposed by this Judgment.
- 16) the defendant shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.

#### FILED

## United States District Court NOV 24 1989

NORTHERN Dis	trict of OKLAHOMA
	Trick of OKLAHOMA  11 S DISTRICT COURT
UNITED STATES OF AMERICA	JUDGMENT INCLUDING SENTENCE
V.	UNDER THE SENTENCING REFORM ACT
Michael Steven Hall	Case Number on an ann and
	Case Number 89-CR-083-006-E
(Name of Defendant)	David Booth
( and a constantly	Defendant's Attorney
THE DEFENDANT:	7
pleaded guilty to count(sx Count One of a	Single Count Indiated
was found guilty on count(s)	
plea of not guilty.	CO Latter a
Accordingly, the defendant is adjudged guilty of	of such count(s), which involve the following offenses:
Title & Section Nature of	
	With Intent to
Distribute	Methamphetamine JAN3 1 1991
<ul> <li>□ The defendant has been found not guilty on cou and is discharged as to such count(s).</li> <li>□ Count(s)</li></ul>	
United States.	
<ul> <li>The mandatory special assessment is included</li> <li>It is ordered that the defendant shall pay to the which shall be due immediately.</li> </ul>	n the portion of this Judgment that imposes a fine. United States a special assessment of \$50,
It is further ordered that the defendant shall no 30 days of any change of residence or mailing ac assessments imposed by this Judgment are fully pa	tify the United States Attorney for this district within dress until all fines, restitution, costs, and special aid.
Defendant's Soc. Sec. Number:	
509-58-7954	November 21, 1989
Defendant's mailing address:	Date of Imposition of Sentence
1619 East 10th Street	- Jone Ollin
Newton, Kansas 67114	Signature of Judicial Officer The Honorable James O. Ellison
	United States District Judge
Defendant's residence address:	Name & Title of Judicial Officer
Same as above	Date

Defendant: Michael Steven Hall Case Number: 89-CR-083-006-E	Judgment—Page 2 of 4
IMPRISONMENT	
The defendant is hereby committed to the custody of the mprisoned for a term ofOne_year_and_one_day	United States Bureau of Prisons to be
	-
$\ \Box$ The Court makes the following recommendations to the Bui	reau of Prisons:
☐ The defendant is remanded to the custody of the United Sta	
☐ The defendant shall surrender to the United States Marshal	for this district,
a.m.  □ at p.m. on	
	*
□ as notified by the Marshal.	
The defendant shall surrender for service of sentence at the insti	itution designated by the Bureau of Prisons
k before 2 κρωπακακ 12 noon on January 2, 1990.	
as notified by the United States Marshal.	
as notified by the Probation Office.	
RETURN	
I have executed this Judgment as follows:	
I have executed this Judgment as follows:	
Unid referry Surviverse	
Defendant delivered as 1-2-90 As Filand	Prison CAMP at
Defendant delivered on 1-2-90 to Federal	, with a certified copy of this Judgment.
	, P. HCUFF, Wardon
	United States Marshal

Judgment—Page3 of4
Defendant: Michael Steven Hall Case Number: 89-CR-083-006-E
SUPERVISED RELEASE
Upon release from imprisonment, the defendant shall be on supervised release for a term of
Five (5) years
While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:
☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
N/A
N/A

Judgment—Page 4 of 4

Defendant: Michael Steven Hall Case Number: 89-CR-083-006-E United States District Court )
Northern District of Oklahoma )
I hereby certify that the foregoing
Is a true copy of the original on file
In this Court.

Jack C. Silver, Clerk

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month:
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall not possess a firearm or any orther dangerous weapon.

  These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation office.

### MINUTE SHEET - SENTENCING

	CR. CASE NO. 89-CR-83-4-E
DATE	a ann marteney (AGE)
,	
SENTEN	CING
JUDGE COOK Deputy R. Miller Deputy McCulleugh	Reporter Simpson
JUDGE BRETT Deputy Overton	Reporter Caslavka
JUDGE COOK Deputy R. Miller  JUDGE ELLISON Deputy McCullough  JUDGE BRETT Deputy Overton  JUDGE Deputy	Reporter
Counsel for Plaintiff Q. Margan	
Counsel for Defendant Ken Dennet	
Retained;	Court Appointed; FPD
MINUTE: Enter as above.	ξ,
Defendant appears in person with counsel	
Defendant and counsel asked if they care pronounced, and no cause to the contrary	to say anything before sentence is being shown,
Sentenced to the custody of	as to Counts
Imposition of sentence suspended - Proba	tion Syras to Counts _/
^	d 10 00 1
18:3553 Findings re PSI/Sentence made, T	
Sentence re: Guidelines; within same; Findings Made	
Bond Exonerated.	
Defendant advised of right to appeal	
Defendant gives oral notice of appeal.	
Appeal bond set at	
Appeal bond set at(cash or surety)	
Remanded to custody of U. S. Marshal	
ADDITIONAL MINUTES:	
Don't mot/departure from the	1281-100 - 914 Tol
	Janea In
	_////
CR-3:6/89	- O, oh

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF	AMERICA, Plaintiff,	)	FILED  JAN 19 1990 d
vs.		) ) )	Jack C. Silver, Clerk U.S. DISTRICT COURT
BARBARA ANN MART	ENEY, Defendant.	) ) )	No. 89-CR-83-04-E

#### SUBSTANTIAL ASSISTANCE MOTION

Comes now the government and advises the Court that the above defendant pleaded guilty herein on the 29th day of November, 1989. Her sentencing is currently scheduled for January 26, 1990 at 1:15 p.m.

This defendant, Barbara Ann Marteney, has made a good faith effort to provide substantial assistance in the investigation and/or prosecution of other persons who have committed federal offenses.

Pursuant to the provisions of the Sentencing Guidelines \$ 5K1.1, the government moves for the Court to depart from the guidelines to grant this defendant an appropriate reduction in sentence.

Reasons for the Court to consider such a downward departure, is the conduct of the defendant, which conduct, for



security reasons, should be presented <u>in camera</u>, to the Court at time of sentencing, or any other time so ordered.

Respectfully submitted,

TONY M. GRAHAM United States Attorney

JOHN S. MORGAN

Assistant United States Attorney 3600 U.S. Courthouse 333 West 4th Street Tulsa, Oklahoma 74103 (918) 581-7463

#### CERTIFICATE OF SERVICE

This is to certify that on the \_\_\_\_\_\_ day of January, 1990, a true and correct copy of the foregoing motion was mailed, postage prepaid thereon, to Ronald Bennett, Esq., 16 East 16th Street, Ste. 200, Tulsa, OK 74119.

ssistant United States Attorney

JSM: kp

CJA 20 (Int 1/88) APPOINTMEN	TOF AND AL	THORITY T	TO PAY C	OURT APPOI	NTED C	OUNSEL	
1. JURISDICTION 3 APPEALS		2. MAG. DOCK	KET NO.	3. DIST. CT.	ET NO. V	OLICHED NO	454540
1 ☐ MAG. 2 █ DIST. 4 ☐ OTHER _		****		89-CR3	-E	U	154519
4. APPEALS DOCKET NO. 5. FOR (DIS ND OK	TRICT/CIRCUIT)  LAHOMA	6. LOC. CODE OKNTU		7. CHARGE/OFF 21:846;		or other	7A. CASE CODE
8. IN THE CASE OF U.S.A. VS THI	MMESCH		9. PERSON KENT	PATRICK T	FULL NAM	ME)	9A. NO.
10. PERSON REPRESENTED (STATUS)  1 DEFENDANT—ADULT 3  2 DEFENDANT—JUVENILE 4   12. PAYMENT CATEGORY  A FELONY C PETTY  B MISDEMEANOR D APPEA	OFFENSE E	OTHER	200	EDINGS (Describe	-		i Kirangang iliya sa
13. COURT ORDER  O ♣ Appointing Counsel F Subs.	for FD P Su	bs. for Panel Att	V.				× 4.00
C L Co-Counsel R L Subs. for Ret.	ained Atty.		Appt. Date_	Name o	f prior pane	attorney Voucher No.	
Because the above-named "person repre otherwise satisfied this court that he or counsel and (2) does not wish to waive justice so require, the attorney whose narepresent this person in this case.  Sig. of Presiding Judicial Office August 16, 1989	she (1) is financiall counsel, and because me appears in item	y unable to emples the interests of 114 is appointed.  Court (Clerk/De	to Joint Tu	NAME OF ATTOR MAILING ADDRE Stanley 54 E. 61s 1sa, OK 7	Glenn t 4105	16. SOC, SEC	CONTRACTOR OF THE PROPERTY OF
Date of Order		o Tunc Date		18) 749-5	531	448-52	-4877
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μ d. Trial							
e. Sentence Hearings  of f. Revocation Hearings				-			
7			î fisi	47C			
- 1 9. Appeals Court						174	COURT COMP.
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d. Travel time (Specify on additional s	- Inches de la company	8.0				18A	TOTAL OUT O
e. Investigative and other work (Specif		3-17					COMPENSATIO
	) TOTAL HOURS	5= 35.4	. 1			\$	1016.01
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X X X X X X X X X X X X X X X X X X X						\$	GRAND TOTAL
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22. IN COURT COMP. 23. OUT	O16.00	P. 24. TRAVE	L EXPENSE		EXPENSE:		OTAL AMT.
\$ 72 \$ \$ 27. SIGNATURE OF PRESIDING JUDGE OF CHIEF JUDGE, CO.	Alle-			DATE /2	2/4	O 27A.	JUDGE/MAG.
28. SIGNATURE OF CHIEF JUDGE, C	CT. OF APPEALS (	OR DELEGATE	[]	DATE		29. T	OTAL AMT.

CJA 20 (Int 1/88) APPOINTMEN  1. JURISDICTION  3 APPEALS	-	MAG. DOCK		3. DIST. CT.		VOUCHER		
1 MAG. 2 DIST. 4 OTHER _				89-CR-				54519
A. APPEALS/DOCKET NO. 5. FOR (DIS	TRICT/CIRCUIT) 6	LOC. CODE		7. ČHARGE/O	the state of the s	6. or other		7A, CASE CODE
	LAHOMA	OKNTU		21:846	841 (a	e citation)	- 1	68
B. IN THE CASE OF			9. PERSO	ON REPRESENTE				9A. NO. REPRES.
U.S.A. vs THI	MMESCH		KENT	PATRICK	THIMME	SCH		PEPRES.
10. PERSON REPRESENTED (STATUS)			11. PRO	CEEDINGS (Desci	ibe briefly)	, A 100	7 3	
1 DEFENDANT-ADULT 3 2 DEFENDANT-JUVENILE 4	APPELLANT 5 L	□ OTHER				* 3		
12. PAYMENT CATEGORY	APPELLEE _		All	Proceed:	ings		1.3	W 1
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B LIMISDEMEANOR D LI APPEA	AL		·		1111			
13. COURT ORDER								
O Appointing Counsel F Subs.	for FD P L Subs	. for Panel Atty	/	Nam	e of prior pan	el attorney		
C Co-Counsel R Subs. for Ret			Appt: Date	<u> </u>		Voucher	No	
Because the above-named "person repre otherwise satisfied this court that he or	she (1) is financially	unable to empl	ov .   1'	4. NAME OF ATT	ORNEY/PAY	EE AND	П	40
counsel and (2) does not wish to waive of justice so require, the attorney whose represent this person in this case.	counsel, and because	the interests of	to	MAILING ADL	RE55			
represent this person in this case.	ine appeals in item 1	t4 is appointed		o Stanle		E/K	A	S 8
1/2 Krolk	160	· • · · · · · · · · · · · · · · · · · ·		154 E. 6		0 N N		
Sig. of Plesiding Judicial Offi	cer or By Order of C	ourt (Clerk/De	puty). ]	ulsa, OK	74105			
			7.					
<ul><li>August 16, 1989</li></ul>			1	5. TELEPHONE N	10.	16. SOC.	SEC. N	10.
Date of Order	* Nunc Pro	Tunc Date		(918) 749	-5531	448-	52-4	1877
the state of the s	CLAIM	FOR SERVI	CES OR I	EXPENSES				
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7. a. Arraignment and/or Plea		2.2		8/16/89	8/21/8	9		total hours to. "In Court"
b. Bail and Detention Hearings					1. /		compe	ensation.
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_ d. Trial							t all a	
e. Sentence Hearings		-						
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h. Other (Specify on additional sheets	*** NICOMION			10/25/8	9			7-0
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1. CERTIFICATION OF ATTORNEY/PA					то			
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f yes, were you paid? YES NO If y	es, by whom were yo	ou paid?	Н	ow much?	Has th	e person res	presente	ed paid anv
noney to you, or to your knowledge to any f yes, give details on additional sheets.	one else, in connecti	on with the ma	tter for wh	nich you were app	ointed to prov	ide represen	ntation?	YES N
swear or affirm the truth or correctness of	the -	stca 0	. 91	0 n n			11	11.lan
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\$ 372 \$ 27. SIGNATURE OF PRESIDING JULE OF PRESI	Cller	<u> </u>			22/9	0	CC	DE 8511
28. SIGNATURE F CHIEF JUDGE,	CT. OF APPEALS (C	R DELEGATE	()	DATE	1	•		TAL AMT.
				1				

FEDERAL PUBLIC DEFENDER

WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

DAVID BOOTH FEDERAL PUBLIC DEFENDER

SUSAN OTTO SUPERVISORY ASSISTANT FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT 
SUITE 524, 215 DEAN A. McGEE
OKLAHOMA CITY, OKLAHOMA 73102
(405) 231-5725 FTS 736-5725

NORTHERN AND EASTERN DISTRICTS 
222 SOUTH HOUSTON, SUITE C
TULSA, OKLAHOMA 74127
(918) 581-7656 FTS 745-7656

January 18, 1990

Honorable James O. Ellison
United States District Judge
for the Northern District of Oklahoma
Attn: Ms. Rosanne Miller
411 United States Courthouse
333 West 4th Street
Tulsa, Oklahoma 74103

Re: United States of America vs. Thimmesch, Kent Patrick Case No. 89-CR-83-E
CJA Voucher No. 0154519

Dear Judge Ellison:

Ms. Jo Stanley Glenn, attorney at law, was appointed to represent Kent Patrick Thimmesch in the above referenced cause.

Ms. Glenn informed me she has completed her services in this matter. She submitted her CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,

Susan M. Otto

Supervisory Assistant Federal Public Defender

SMO: jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Ms. Jo Stanley Glenn

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,	Jack C. Silver, Clerk
Plaintiff,	}
vs.	) No. 89-CR-83-05-E
LOREN EUGENE HALL, SR., et al.,	
Defendants.	) }

#### ORDER

The Court, having examined the reasons set forth by the Defendant David Royse Ladd for continuance, and the Plaintiff having no objections thereto, finds that said continuance should be granted for the reasons set forth by the Defendant; and that the ends of justice are served by granting the continuance; and that the ends of justice outweigh the best interest of the public in a speedy trial.

The jury trial, of David Royse Ladd heretofore set for January 16, 1990 is stricken and reset for March 19, 1990, 9:30 A.M. . . The period between January 16, 1990 and March 19, 1990 shall be considered excludable under the provisions of the Speedy Trial Act, Title 18, U.S.C. §3161(h)(8). Pretrial, motion hearing &/Or Change of plea is reset March 2, 1990, 1:00 P.M. Requested instructions are due March 12, 1990. ORDERED this \_\_\_\_\_ 5th day of January, 1990.

JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

1AH 21990 dt

UNITED STATES OF AMERICA,	)	Jack C. Silver, Clerk U. S. DISTRICT COUR
Plaintiff,	)	
Vs.	)	No. 89-CR-83-E √
LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL	)	
RICHARD LASSLEY, LOREN EUGENE	)	

Defendants.

HALL, JR., BARBARA ANN

MICHAEL STEVEN HALL,

MARTENEY, DAVID ROYSE LADD and

DEFENDANT LADD'S APPLICATION TO RESCHEDULE TRIAL DATE, AND RELATED DEADLINES, AND SUPPORTING BRIEF

The defendant, David Royse Ladd ("Ladd"), hereby respectfully requests that this Court reschedule the trial in this case, presently set for January 16, 1990. In addition, the defendant requests that the related deadlines scheduled for January 3 at 1:00 p.m. (pretrial, motions hearing and/or change of plea) and January 9 (requested instructions, voir dire and trial briefs) be rescheduled. In support of this Application, Ladd states:

- 1. The undersigned counsel was appointed to represent Ladd on Tuesday, November 28, 1989. Ladd resides in Canton, Ohio.
- 2. Ladd and defense counsel met for the first time the day after counsel's appointment -- November 29. The meeting lasted approximately two (2) hours. Ladd returned (by bus) to his home in Ohio that afternoon.

12

- 3. Because of the distance between Ladd and his counsel, opportunities to meet and examine the facts and circumstances of the crime charged have been limited to the one brief meeting referenced above. This situation is exacerbated by the defendant's indigence.
- 4. The holiday season and counsel's previously scheduled commitments to discovery in other matters have further limited the opportunity for communication between Mr. Ladd and his counsel.
- 5. On Friday, December 29, 1989, Ladd filed a Waiver of Speedy Trial pursuant to the provisions of 18 U.S.C. §3161, et seq., waiving his right to a speedy trial under the Speedy Trial Act. Ladd and his counsel thereby seek additional, necessary time to adequately prepare for trial of this case.
- 6. The government's counsel has been consulted and has <u>no</u> <u>objection</u> to this extension application.
- 7. Preliminary discovery motions have been filed by the defendant and the government has responded to those motions. The related deadlines scheduled for January 3 (pretrial, motions hearing and/or change of plea) and January 9 (requested instructions, voir dire and trial briefs) should also be rescheduled to dates consistent with a new trial date.
- 8. Defendant Ladd submits that the trial should be rescheduled on a date no less than sixty (60) to ninety (90) days in the future.

WHEREFORE, the defendant, David Royse Ladd, hereby

respectfully requests that the trial date in this matter, presently scheduled for January 16, 1990, be rescheduled for a date at least sixty (60) to ninety (90) days in the future and that the related deadlines of January 3, 1990 (pretrial, motions hearing and/or change of plea) and January 9 (requested instructions, voir dire and trial briefs) be rescheduled to dates consistent with the newly scheduled trial date.

Respectfully submitted,

John E. Dowdell, OBA #2460

NORMAN & WOHLGEMUTH

2900 Mid-Continent Tower Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

#### CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of January, 1990, a true and correct copy of the above and foregoing instrument was hand-delivered to:

John S. Morgan, Esq. Assistant United States Attorney United States Courthouse 333 W. Fourth Street Tulsa, OK 74103

John E. Dowdell

### FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA DEC 2 9 1989 O

Jack C. Silver, Clerk U.S. DISTRICT COURT,

UNITED STATES OF AMERICA, Plaintiff, No. 89-CR-83-E VS. DAVID ROYSE LADD. Defendant.

#### WAIVER OF SPEEDY TRIAL

COMES NOW the Defendant, David Royse Ladd, and hereby waives his right to a speedy trial under the Speedy Trial Act, 18 U.S.C. §3161, et. seq., for the period of time necessary to adequately prepare for trial so that my counsel in this matter, John E. Dowdell, will have ample opportunity to investigate this matter and adequately prepare for the trial of this case.

APPROVED:

John E. Dowdell,

MORMAN & WOHLGEMUTH

2900 Mid-Continent Tower

Tulsa, Oklahoma

(918) 583-7571

Attorney for Defendant, David Royse Ladd

### CERTIFICATE OF MAILING

I, John E. Dowdell, hereby certify that on the 29th day of December, 1989, I mailed a true and correct copy of the above and foregoing instrument to:

John S. Morgan, Esq.
Assistant United States Attorney
United States Courthouse
333 W. Fourth Street
Tulsa, OK 74103

by depositing said copy in the U.S. mail postage prepaid thereon.

John E. Dowdell

## FILED

DEC 2 8 1989 0

# UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

Vs.

Case No. 89-CR-83-E

LOREN EUGENE HALL, JR., et al.)

Defendants.

### ORDER FOR TRANSPORTATION

Upon consideration of the Defendant, Loren Eugene Hall, Jr.'s, unopposed Motion For Transportation Assistance, the Court finds that said request should be granted.

The Court finds that the Defendant be ordered to report to the nearest United States Marshal's Office in the State of Kansas prior to the date of surrender in order that he may be transported to the Federal Correctional Institution in Milan, Michigan for service of his sentence, beginning 12:00 noon on January 2, 1990.

IT IS SO ORDERED this 28 day of December, 1989.

THOMAS R. BRETT, for James O. Ellison UNITED STATES DISTRICT JUDGE

DEC 26 1989 OV

## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

Case No. 89-CR-83-E

LORAN EUGENE HALL, SR.,

KENT PATRICK THIMMESCH a/k/a

PAUL RICHARD LASSLEY,

LOREN EUGENE HALL, JR.,

BARBARA ANN MARTENEY,

DAVID ROYSE LADD, and

MICHAEL STEVEN HALL,

Defendants.

### MOTION FOR TRANSPORTATION ASSISTANCE

COMES NOW the Defendant, Loren Eugene Hall, Jr., and respectfully requests this Court for transportation assistance through the United States Marshal's Office. As grounds for said request the Defendant would state:

- 1. That this Honorable Court did, on the 21st day of November, 1989, impose a sentence of sixteen (16) months in custody of the United States Bureau of Prisons.
- 2. That the Defendant was ordered to surrender to the Bureau of Prisons in Milan, Michigan, on the 2nd day of January, 1990, 12:00 noon.
- 3. That this Defendant lives in Derby, Kansas and is unable to pay for the transportation expense from Derby, Kansas to Milan, Michigan.
- 4. The Defendant respectfully requests an Order of the Court that he be allowed to report to the nearest United States Marshal's Office prior to the date of surrender, in order that he may be transported to the Federal Correctional Institution in Milan, Michigan.

no objection per you Heslet

18 Bri

CERTIFICATE OF DELIVERY

I hereby certify that on this 2 day of 2, 19 % I delivered a true and correct copy of the attached and foregoing
Motion For Transportation Assistance to the United States
District Attorney's Office, United States Courthouse, 333 West
Fourth Street, Tulsa, Oklahoma.
Tim H. Hoslat
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	C Co-Counsel R Subs. for Ret.	ained Atty.		Appt. Date_		prior parie	_ Vouche	
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FEDERAL PUBLIC DEFENDER

WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

DAVID BOOTH
FEDERAL PUBLIC DEFENDER

SUSAN OTTO SUPERVISORY ASSISTANT FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT V SUITE 524, 215 DEAN A. McGEE OKLAHOMA CITY, OKLAHOMA 73102 (405) 231-5725 FTS 736-5725 NORTHERN AND EASTERN DISTRICTS 
222 SOUTH HOUSTON, SUITE C
TULSA, OKLAHOMA 74127
(918) 581-7656 FTS 745-7656

December 15, 1989

Honorable James O. Ellison
United States District Judge
for the Northern District of Oklahoma
Attn: Ms. Rosanne Miller
411 United States Courthouse
333 West 4th Street
Tulsa, Oklahoma 74103

Re: United States of America vs. Hall, Loran Eugene, Jr. Case No. 89-CR-83-01-E CJA Voucher No. 0154502

Dear Judge Ellison:

Mr. Jim Heslet, attorney at law, was appointed to represent Loran Eugene Hall, Jr. in the above referenced cause.

Mr. Heslet informed me he has completed his services in this matter. He submitted his CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,

Susan M. Otto

Supervisory Assistant Federal Public Defender

SMO:jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Mr. Jim Heslet

# UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

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DEC	18	1989	O'

UNITED STATES OF AMERICA,	JACK C. SILVER, CLERK U.S. DISTRICT COURT
Plaintiff,	0.5. 515 (110)
vs.	
DAVID ROYSE LADD,	) )
Defendant.	) ) No. 89-CR-83-05-E ✓

# GOVERNMENT'S RESPONSE TO THE MULTIPLE PRETRIAL MOTIONS OF THE ABOVE DEFENDANT

Comes now the government and for its combined response to the multiple pretrial motions of the above defendant, alleges and states:

Τ.

### Motion to Produce

Plaintiff will fully comply with the discovery provisions of Rule 16, Federal Rules of Criminal Procedure, and within its limitations, will comply with most of the discovery requests of defendant. See: Rule 15F. Motions in Criminal Cases. Rules of the U.S. District Court for the Northern District of Oklahoma, effective May 1, 1988.

Since the defendant is requesting information under Rule 16(a)(1)(C) or (D) of the Federal Rules of Criminal Procedure, the government requests reciprocal discovery under the provisions of Rule 16(b)(1). The government respectfully requests the court to order compliance by defendant with the reciprocal discovery provisions of Rule 16(b) and the continuing duty under Rule 16(c).



IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

DEC 1 1 1989 OLA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

VS.

No. 89-CR-83-E

LORAN EUGENE HALL, SR., KENT )
PATRICK THIMMESCH a/k/a PAUL )
RICHARD LASSLEY, LOREN EUGENE )
HALL, JR., BARBARA ANN )
MARTENEY, DAVID ROYSE LADD and)
MICHAEL STEVEN HALL, )

Defendants.

DEFENDANT DAVID ROYSE LADD'S MOTION AND BRIEF TO COMPEL DISCLOSURE OF IDENTITIES OF INDIVIDUALS FURNISHING NONPRIVILEGED INFORMATION

Defendant David Royse Ladd ("Ladd"), through counsel, moves the Court to order the disclosure of (1) the identities and addresses of any persons who have furnished nonprivileged information relating to the Counts (separately or in combination) of this indictment to any law enforcement officer or government official and (2) the identities and addresses of any persons known to any officer or official to have any knowledge about any matter related to the Counts of indictment. See Roviaro v. United States, 353 U.S. 53, 6061 (1957) (absent clear need to protect informers, disclosure of "relevant and helpful" information must be made).

If the United States of America (the "government") cannot reveal the informers' identities, Ladd moves the Court to



Plaintiff will comply with Rule 16(a)(1)(A) of the Federal Rules of Criminal Procedure, which basically provides that the government provide copies of all relevant written or recorded statements by the defendant, including the substances of any oral statements, made in response to interrogation by any person then known to the defendant to be a government agent.

The plaintiff will comply with the requirement of the <a href="Jencks"><u>Jencks Act</u></a>, 18 U.S.C. §3500, and will provide any such items sufficiently prior to the testimony of the witness, so that trial is not delayed.

The government declines to produce a pretrial list of its witnesses. The names and addresses of potential government witnesses are not discoverable before trial, except in treason or capital offense cases. 18 U.S.C. §3432; United States v. Baca, 494 F.2d 424, 427 (10th Cir. 1974); United States v. Seasholtz, 435 F.2d 4 (10th Cir. 1970); Nipp v. United States, 422 F.2d 509 (10th Cir. 1969); cert. denied, 397 U.S. 1008; United States v. Gleeson, 411 F.2d 1091 (10th Cir. 1969); Edmondson v. United States, 402 F.2d 809 (10th Cir. 1969).

Transcript of testimony of witnesses who appeared before the grand jury, would only be producible under the <u>Jencks Act</u>, 18 U.S.C. §3500, subject to the court's ruling that it was relevant and should be released under Rule 6(e), Federal Rules of Criminal Procedure. A court order would be required before such statements can be turned over to defense counsel, even under the <u>Jencks Act</u>.

Any evidence to be introduced at trial, including photos and charts of items seized and inventories thereof, as a result of search warrants, surveillance by telephone conversation recordings, wire interception of other electronic means, which will be introduced in evidence or is otherwise pertinent, will be furnished to defense counsel prior to trial for inspection or copying, if any.

II.

# Motion for Disclosure of Government's Intention to Use Evidence

As stated above all evidence to be introduced is available for inspection by defense counsel whenever he notifies the U.S. Attorney's Office if he desire to arrange an appointment.

There does not appear to be any evidence obtained from defendant which would entitle him to move to suppress.

III.

Motion to Compel Disclosure of The Existence and Substance of Promises of Immunity, Leniency or Preferred Treatment

Pursuant to <u>Brady v. Maryland</u>, 373 U.S. 83 (1963), and progeny, the government will provide in ample time for utilization at trial, notice to defense counsel of any and all promises, rewards, inducements, made to any government witness (if any), offers or grants of immunity (if any), arrest and conviction records of government witnesses (if any), and any other relevant material information bearing on the witnesses' potential bias or interest in the outcome of the case and/or her

own motive for cooperating with the government.

Rule 16, Federal Rules of Criminal Procedure, does not require pretrial disclosure of witness statements (if any).

Jencks, material, 18 U.S.C. §3500, will be provided the day before testimony in order to avoid delays in time of trial.

Rule 16 material and Brady will be made known to defense as an on-going procedure, when appropriate.

TV.

Motion to Compel Disclosure of Identities of Individuals Furnishing Nonprivileged Information

All information obtained from investigation witnesses will be produced as <u>Jencks</u> material, 18 U.S.C. §3500, as trial witnesses.

However, the defense counsel is welcome to make an appointment and visit the U.S. Attorney's Office and see the entire government file, at any time.

V.

Motion for Disclosure of Any Rule 404(b) Evidence the Government Intends to Introduce at Trial

At this time the government does not know of any Rule 404(b) F.R.E., material as defined by <u>United States v. Record</u>, 873 F.2d 1363 (10th Cir. 1989). Should such become available and its use intended, a notice of such will be filed in the case.

VI.

Motion for the Government to Affirm or Deny Illegal Electronic Surveillance

The government knows of no such evidence at this time. Should such become available and its use intended, a notice of such will be filed in the case.

Respectfully submitted

TONY M. GRAHAM

ed States Attorney

N S. MORGAN

Assistant United States Attorney 3600 U.S. Courthouse

stant United States Attorney

333 West Fourth Street Tulsa, Oklahoma 74103

#### CERTIFICATE OF SERVICE

This is to certify that on the 18 day of December, 1989, a true and correct copy of the foregoing was mailed postage prepaid thereon, to: John E. Dowdell, Esq., 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103.

5

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED DEC 1 1 1989/10

UNITED	STATES	OF	AMERICA,	

Plaintiff,

No. 89-CR-83-E

Jack C. Silver, Clerk U.S. DISTRICT COURT

vs.

LORAN EUGENE HALL, SR., KENT )
PATRICK THIMMESCH a/k/a PAUL )
RICHARD LASSLEY, LOREN EUGENE )
HALL, JR., BARBARA ANN )
MARTENEY, DAVID ROYSE LADD )
and MICHAEL STEVEN HALL, )

Defendants.

DEFENDANT DAVID ROYSE LADD'S MOTION AND BRIEF FOR DISCLOSURE OF ANY RULE 404(b) EVIDENCE THE GOVERNMENT INTENDS TO INTRODUCE AT TRIAL

Defendant David Royse Ladd ("Ladd"), through counsel, respectfully moves this Court to order the United States of America (the "government") to provide Ladd the following information about each item of evidence it intends to seek to introduce at trial under the authority of Rule 404(b), Federal Rules of Evidence:

- A. Any evidence the government intends to introduce at trial of other crimes, wrongs or bad acts including, but not limited to:
  - 1. Any evidence that tends to establish that Ladd participated in similar transactions as those charged in the indictment;
    - 2. Any evidence of a statement of Ladd, oral

compel disclosure of the contents of any communication between informers and the government that does not tend to reveal the identities of the informants. <u>Id</u>., at 60. (Contents of informer's communications not tending to reveal his or her identity not privileged).

Ladd also moves the Court to order the disclosure of the existence of any informer supplying information regarded by such officials as privileged and requests the Court to conduct a hearing, if necessary, to determine whether the information is in fact privileged. Without such a hearing, Ladd's rights under Roviaro are meaningless.

If the Court believes that granting the motion at this time is inappropriate, Ladd requests permission to refile the motion at a later time.

Respectfully submitted,

John E. Dowdell

NORMAN & WOHLGEMUTH

2900 Mid-Continent Tower Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

#### CERTIFICATE OF DELIVERY

I, John E. Dowdell, hereby certify that on the 11th day of December, 1989, I had a true and correct copy of the above and foregoing instrument hand-delivered to:

Jack Morgan, Esq.
Assistant United States Attorney
United States Courthouse
333 W. Fourth Street
Tulsa, OK 74103

John E. Dowdell by SKW

or written, that the government alleges is false or misleading and which is not the specific subject of a Count or Counts in the present indictment; and

- 3. Any evidence that Ladd's conduct, acts or statements constitutes a violation of any state or federal law.
- B. Any and all factual details known to the government as well as which details it will seek to introduce, about each "other crime", "wrong" or "bad act".
- C. Whether the evidence will be introduced by means of a documentary exhibit, and, if so, the identity of each exhibit and its availability for inspection and copying.
- D. The names of any witnesses who will give testimony about the "other crime", "wrong" or "bad act" and/or lay the foundation for the entry of any exhibit and a summary of theses witnesses' intended testimony.
- E. Whether each "other crime", "wrong" or "bad act" is presently the subject of a pending charge or ongoing criminal investigation; and, if so, whether the government intends to elicit this circumstance from any witness or through any exhibit.
- F. The element of the crime for which each "other crime", "wrong" or "bad act" is offered as proof, <u>i.e.</u>, "motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident." Rule 404(b), Federal Rules of Evidence.

If any information derived from these sources, or any other source, is intended to be offered at the trial of this case pursuant to Rule 404(b), Ladd requests adequate notice of such intention as well as the particulars of each item sought to be admitted as "other crime", "wrong" or "bad act" evidence. Such disclosure is necessary so Ladd may meaningfully review the evidence and seek its exclusion if prejudice requires. United States v. Climatemp, Inc., 482 F.Supp. 376, 391 (N.D. Ill. 1979).

Respectfully submitted,

John E. Dowdell

NORMAN & WOHLGEMUTH U 2900 Mid-Continent Tower Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

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John E. Dowdell by 3KW

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

Vs.

No. 89-CR-83-E

LORAN EUGENE HALL, SR., KENT

PATRICK THIMMESCH a/k/a PAUL

RICHARD LASSLEY, LOREN EUGENE

HALL, JR., BARBARA ANN

MARTENEY, DAVID ROYSE LADD

and MICHAEL STEVEN HALL,

Defendants.

DAVID ROYSE LADD'S MOTION AND
BRIEF FOR THE GOVERNMENT TO AFFIRM OR DENY
LLEGAL ELECTRONIC SURVEILLANCE

Defendant David Royse Ladd ("Ladd"), through counsel, invokes his right to have the United States of America (the "government") affirm or deny whether he has been subjected to illegal electronic surveillance. See 18 U.S.C. § 3504.

If the government has engaged in, or been aided by, any wrongful act in so intercepting his private conversations, Ladd has a right to know and seek redress. Alderman v. United States, 394 U.S. 165 (1969); United States v. United States District Court., 407 U.S. 297 (1972); United States v. Williams, 580 F.2d 578, 583 (D.C. Cir. 1978); United States v. Sinclair, 321 F.Supp. 1074, 1076 (E.D. Mich. 1971).

The government must respond by affidavit or sworn testimony after diligent search and inquiry. Williams, supra, 580



F.2d at 584; In Re Maury Santiago, 533 F.2d 727, 729-30 (1st Cir. 1976); United States v. Aloi, 511 F.2d 585, 602 (2nd Cir.), cert. denied, 423 U.S. 1015 (1975); United States v. Stevens, 510 F.2d 1101, 1104.06 (5th Cir. 1975); United States v. Van Drunen, 501 F.2d 1393, 1399 (7th Cir.), cert. denied, 419 U.S. 1091 (1974); United States v. D'Andrea, 495 F.2d 1170, 1174 n.12 (3rd Cir.), cert. denied, 419 U.S. 855 (1974). See also In Re Turgeon, 402 F.Supp. 1239, 1240-41 (D. Conn. 1975); cf., United States v. Hearst, 412 F.Supp. 863, 869 (N.D. Cal. 1975).

This relief is requested in order that Ladd may exercise his constitutional and statutory rights to be free of illegal searches and seizures by electronic means.

Respectfully submitted,

John E. Dowdell

NORMAN & WOHLGEMUTH ()
2900 Mid-Continent Tower
Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

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# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	The state of the s
vs.	)	No. 89-CR-83-E
LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL,	)	
Defendants.	í	

DEFENDANT DAVID ROYSE LADD'S MOTION AND BRIEF TO COMPEL DISCLOSURE OF THE EXISTENCE AND SUBSTANCE OF PROMISES OF IMMUNITY, LENIENCY OR PREFERRED TREATMENT

Defendant David Royse Ladd ("Ladd"), through counsel, respectfully moves the Court to order the United States of America (the "government") to produce the following information:

(1) The existence, substance, and the manner of execution or fulfillment of any promise, statement, agreement, understanding, or arrangement, either verbal, written or implied, between the government or its agents and any prosecution witness, or his or her attorneys or representatives, for the purpose of obtaining the person's testimony, cooperation or provision of information to the government, wherein the government has agreed to any of the following:



- (a) not to prosecute the person for any crime or crimes;
- (b) not to prosecute a third party for any crime or crimes where the reason for not prosecuting the third party is the consideration to the person;
- (c) to provide a formal grant of statutory immunity, or to provide an informal assurance that the person will not be prosecuted in connection with any testimony, cooperation, or information given by him or her;
- (d) to recommend leniency or a particular sentence for any crime or crimes for which he or she stands convicted or is expected to be convicted;
- (e) to comply with any prior agreements although the witness may have previously violated a part of his agreement;
- (f) to provide favorable treatment or consideration, that is, money, a job, a new location, a new start, etc., to the person himself or to friends or relatives of this person in return for his or her testimony, cooperation, and provision of information;
- (g) to make any recommendation of benefit to the person to any state or federal agency; and
- (h) to make any other recommendation of benefit, or to give any other consideration to the person or friends or relatives of the person.
- (2) The substance and manner of execution of any threat of prosecution or intimidation in any way by any government agent, or other person acting on behalf of the government, to a witness concerning the giving or not giving of any testimony, cooperation or information in this case.
- (3) The existence, substance, and manner of execution of any of the above matters relative to witnesses with regard to

state agents and federal agents.

(4) Any statement or information showing that any government witness participated in any manner in any of the offenses charged in the indictment.

Such matters are extremely relevant to the credibility of the witnesses and failure to disclose such individuals and the circumstances of their cooperation violates Ladd's Fifth and Sixth Amendment rights. See e.g. Giglio v. United States, 405 U.S. 150 (1972); United States v. McCrane, 527 F.2d 906 (3rd Cir. 1975), aff'd. after remand, 547 F.2d 205 (1976); Lewinski v. Ristaino, 448 F.Supp. 690 (D. Mass. 1978).

Such disclosure should be made prior to trial so that appropriate defense preparation can be made. Moreover, under the circumstances of this case, disclosure would not be a disadvantage to the government.

Respectfully submitted,

John E. Dowdell

NORMAN & WOHLGEMUTH 02900 Mid-Continent Tower

Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

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John E. Dowdel

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### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

Vs.

No. 89-CR-83-E

LORAN EUGENE HALL, SR., KENT

PATRICK THIMMESCH a/k/a PAUL

RICHARD LASSLEY, LOREN EUGENE

HALL, JR., BARBARA ANN

MARTENEY, DAVID ROYSE LADD

and MICHAEL STEVEN HALL,

Defendants.

## DEFENDANT DAVID ROYSE LADD'S MOTION TO PRODUCE AND MEMORANDUM BRIEF IN SUPPORT THEREOF

Defendant David Royse Ladd ("Ladd"), respectfully moves Court to order the United States of America the (the "government") to produce for Ladd's inspection and/or reproduction any material that could reasonably effect a determination of his guilt or innocence, reduce punishment, is relevant to the subject matter of the charges, or which may, in any manner, assist Ladd, whether or not the government considers such material admissible at trial, or is exculpatory in nature. See Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, and Rule 16 of the Federal Rules of Criminal Procedure. materials should include, but are not limited to, the following:

1. Any and all statements, confessions or reports in the

possession of, accessible to, or known to exist by the government made by agents of the Federal Bureau of Investigation, or any other agency of the United States, and any other person or persons, whether or not employed by the government, including Mr. Ladd, or any other law enforcement or investigative agency under Rule 16 of the Federal Rules of Criminal Procedure.

- 2. The substance of any oral statement which the government intends to offer in evidence at the trial made by Ladd in response to interrogation by any person then known to Ladd to be a government agent.
- 3. Any and all exhibits and charts that the government intends to introduce into evidence in the trial in this matter, including, but not limited to, books, papers, schedules, documents, photographs, statements, ledgers, bank accounts, telephone records, tape recordings, prospecti, checks, records of deposits, financial statements, cost studies, minutes of meetings or other tangible objects which are intended for use by the government as evidence in chief at the trial (including any bank records, credit applications and records, stock records, and correspondence) which were obtained from, belong or relate to the Defendant, Ladd.
- 4. Stenographic or electronic recordings or transcriptions of oral statements made by any person or any agent of the government or the States of Oklahoma, Texas, Kansas or Ohio or any other state in the possession of or accessible to the government.

- 5. Any tape or other audio recordings or statements made by any person to any agent of the government or to agents of the States of Oklahoma, Texas, Kansas or Ohio or any other state in the possession of or accessible to the government.
- 6. Any transcript of any statement made in the office of the Attorney General of the United States for this district or any federal district of Ohio or any Oklahoma or Ohio District Attorney, in possession of or accessible to the government during their investigation concerning the subject matter herein, whether or not the government intends to call or utilize them at trial and whether or not the statements were recorded.
- 7. The names and addresses of all persons who may have some knowledge of the facts involved in the instant case.
- 8. Written or recorded statements or summaries of any such statements not recorded made by Ladd in this case, copies of any statements, admissions, confessions or declarations against interest verbatim or otherwise which may have been made by Ladd and the name of the person taking such statements.
- 9. The original reports of the arresting officers in this case.
- 10. Any and all evidence held by any agency of the government which may be exculpatory or in any way favorable to the Defendant.
- 11. Any information received by electronic or other surveillance of Ladd, his premises, both home and business(es),

other individuals involved herein and/or their premises.

- 12. Any physical or tangible objects in the possession of the government or known to be in the possession of any governmental agency, including, but not limited to, any items taken from Ladd's person or his property.
- 13. A list of all witnesses that may be used by the government in the trial of this matter.
- 14. Any and all materials, exhibits or documents furnished or presented to the Grand Jury and Panel to hear this cause of action.
- 15. A copy of the prior criminal record of Ladd, if any, and all criminal reports of government witnesses; all evidence tending to impeach witnesses for the government, all evidence support Ladd's tending to innocence; statements of all witnesses whose testimony would be favorable to Ladd; all lab tests and physical or mental examinations conducted on behalf of the prosecution whether such examinations were favorable to the government, to Ladd, or neutral; all grants of immunity or promises made to government witnesses, including any plea agreement; information regarding any monies paid to witnesses of the government, including, but not limited to, rewards, subsistence payments, expenses or payments made for specific information supplied to the government; any assistance given to any government witnesses; information concerning any criminal charges pending against any government witnesses; information concerning any criminal activity in which any government

witnesses have engaged which has not resulted in prosecution or conviction; any prior and inconsistent statements of any government witnesses; any statement of any person which is contradictory or inconsistent with the expected testimony of a government witness on a material or substantial matter regardless of whether the prosecution intends to call the person as a government witness, and any documentary evidence which the prosecution might have which contradicts or is inconsistent with any witnesses' expected testimony on a material or substantial matter.

16. Defendant further moves that this Court order the government to produce all materials which (a) may become known or through the exercise of due diligence may be learned; (b) may be exculpatory or favorable to the accused or which may lead to information that is exculpatory or favorable to the accused; (c) tends to negate his guilt for charges alleged or would tend to reduce the punishment; and (d) produce any information which may become known or, through the exercise of due diligence may be learned, that is subject to discovery under any of the above paragraphs.

WHEREFORE, premises considered, Defendant David Royse Ladd urges that his Motion to Produce be granted and that the government be required to produce all materials required herein above.

Respectfully submitted,

John E. Dowdell

NORMAN & WOHLGEMUTH

2900 Mid-Continent Tower Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

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Tulsa, OK 74103

John E. Dowdell by 5kw

DEC I 1983 OF COURT

5.

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )

Plaintiff, )

Vs. No. 89-CR-83-E

Vs. )

LORAN EUGENE HALL, SR., KENT )
PATRICK THIMMESCH a/k/a PAUL )
RICHARD LASSLEY, LOREN EUGENE )
HALL, JR., BARBARA ANN )
MARTENEY, DAVID ROYSE LADD )
and MICHAEL STEVEN HALL, )

Defendants.

DEFENDANT DAVID ROYSE LADD'S MOTION AND BRIEF FOR DISCLOSURE OF GOVERNMENT'S INTENTION TO USE EVIDENCE

Defendant David Royse Ladd ("Ladd"), through counsel, respectfully moves the Court, pursuant to the provisions of Rule 12(d)(2), to require the United States of America (the "government") to disclose any evidence that the government intends to use as its evidence in chief at trial so that Ladd may have the opportunity to move to suppress such evidence under the provisions of subdivision (b)(3) of Rule 12 of the Federal Rules of Criminal Procedure.

Respectfully submitted,

John E. Dowdell

NORMAN & WOHLGEMUTH

2900 Mid-Continent Tower Tulsa, Oklahoma 74103

(918) 583-7571

Attorney for Defendant, David Royse Ladd

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Assistant United States Attorney
United States Courthouse
333 W. Fourth Street
Tulsa, OK 74103

John E. Dowdell by 5kw

INI CHAMITION BABBI
, 1985, Before Magistrate: Wagner ( ) Wolfe (
Case No. 89-CN-83-05-8
UNITED STATES OF AMERICA V.
Defendant's Age 30 Sex MM Date of Birth 7/9/59 NOV 27 1989
Defendant's Address 2100 Hazzisswi C. Silver, Clerk
CANTON ONID YYTZIIS DISTRICT COURT
appeared here 11/27 (Phone #)216/452-0-/25
Date of Arrest 11/9/Ps Arrested by Ruce 10 - NS/04
Bail Fixed \$ 10,000 (Cash or Surety) (10% Dep) (Insecured)
Bail Made \$ 10,000 (Cash or Surety) (10% Dep) (Unsecured)
Bail Not Made
Special Conditions: ( ) Report as Directed ( ) Travel restricted to ND/OK and ( ) Refrain from possession of firearm, etc. ( ) Successful participation in drug screening ( ) ( )
Preliminary Exam: Date Scheduled at
Arraignment: Date Scheduled at
Defendant Requests Public Defender: yes () no ()  Defendant's Attorney: Stephen Srubbel (Ct.Apptd) (Retained)
(Phone #)
Attorney for USA: Jack Monay
Remarks:
Minute: I.A. ~ aur - Dapp w/FPD; O. appting FPD executed' Bond Set @ \$10,000 U/s; Cond. of Rélease executed; sentees plea of N/6' dates to he mailed

( ) Defendant remanded to custody of U. S. Marshal.

40

## FINANCIAL AFFIDAVIT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

11	N UNITED STA	ATES MAGISTRATE   DISTRICT   APPEALS COURT or   OTHER PANEL (Specify below)
	CASE OF	FOR LDCATION NUMBER
		VS
		NOW 27 1989
	EDCON DEDD	
	ERSON REPRI	Defendant—Adult Magistrate COLIDT
i	DAVID	2 □ Defendant—Juvenile 3 □ Appellant
		4 Probation Violator
		5 Parole Violator Court of Appeals
		SE (describe if applicable & check box -)
		7 = 2255 Petitioner 8 = Material Witness
	ansp.	. TO MINT, POICESS 9 Other (Specify)
1	M	Hanraerannie
		ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY
(	r	Are you now employed?  ☐ Yes ☐ No ☐ Am Self Employed
		Name and address of employer: CANAL FULTON SUICINISES
	EMPLOY-	IF YES, how much do you IF NO, give month and year of last employment
	MENT	earn per month? \$ /, 2no How much did you earn per month \$
8		If married is your Spouse employed? Pres \( \subseteq \text{No} \)
		IF YES, how much does your / If a minor under age 21, what is your
		Spouse earn per month \$ \( \forall op \) Parents or Guardian's approximate monthly income \$
		Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources?
	OTHER	received sources the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? Yes  RECEIVED SOURCES
ISSETS 🚽	INCOME	IF YES, GIVE THE AMOUNT
		RECEIVED & IDENTIFY \$
		THE SOURCES
	CASH	Have you any cash on hand or money in savings or checking account ves $\square$ No IF YES, state total amount \$(80)
		Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary
		household furnishings and clothing)? Yes No VALUE  DESCRIPTION
	PROP- ERTY	IF YES, GIVE VALUE AND \$ 1,500 78 0655
		DESCRIBE IT
		MARITAL STATUS  Total No. of  List persons you actually support and your relationship to them
		SINGLE Dependents CVIFE AVID THRU CHILDREN
	DEPE	ENDENTS MARRIED ————————————————————————————————————
BLIGATION	2	SEPARATED OR
DEBTS	<b>«</b> —	DIVORCED
		TS & APARTMENT OR HOME: RELT + UTILITIES \$ 580
	BILL	
	TORS, IN	LL CREDI- NCLUDING \$
	PANIES,	LOAN COM- CHARGE TS, ETC.)
		I certify the above to be correct.
	SIGI	NATURE OF DEFENDANT
		(OR PERSON REPRESENTED)

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

IN THE UNITED STATES DISTRICT COURT F I F FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STAT	ES OF AMERICA,	NOV	V 27 1989
vs.	Plaintiff,		. Silver, Clerk STRICT COURT
		) NO. <u>03 CR 03-03-E</u>	
DAVID ROYSE	LADD		
***		)	
	Defendant(s).		
	ORDER APPOINTIN	-	
counsel, and is/are finathe Northe	is 27th day of November leted an affidavit as to add upon review, the Councially unable to obtain no District of Oklahom stice Act of 1984,	rt finds that the af counsel. In accorda	fiant(s)
IT IS	HEREBY ORDERED that the:		
t	ederal Public Defender is he following: ll further proceedings under of the court.	in	
n n	ederal Public Defender shame(s) of a private attor ecessary, for appointment ollowing: David Royse Ladd	eney or attorneys, as	1 the
r	efendant will reimburse to easonable cost of provide coordance with his/her all y further order of the co	ing representation in Fility to pay as deter	
[] F	ederal Public Defender is o represent the following	s temporarily appointe	∍d
f	or purposes of initial ap	ppearance only.	_
Dated this	JEFFREY S. UNITED STATE	NOTES MAGISTRATE	
Clerk	States Attorney	•	

FILED IN OPEN COURT NOV 2 9 1989

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA,	No. 89-CR-83-04-E
Plaintiff,	) PETITION TO ENTER PLEA OF GUILTY ) AND
vs.	ORDER ENTERING PLEA
BARBARA ANN MARTENEY,	) (Federal Rules of Criminal Procedure,
Defendant.	) Rules 10 and 11)

### The defendant represents to the Court:

- (2) I am represented by a lawyer; his/her name is:

  \*\*RUNALO C. BENNETT\*\*.
- (3) I received a copy of the Indictment before being called upon to plead. I read the Indictment and have discussed it with my lawyer. I fully understand every charge made against me.
- (4) I told my lawyer all the facts and circumstances known to me about the charges made against me in the Indictment. I believe that my lawyer is fully informed on all such matters.
- (5) I know that the Court must be satisfied that there is a factual basis for a plea of "GUILTY" before my plea can be accepted. I represent to the Court that I did the following acts in connection with the charge(s) made against me in  $Count(s) \mathcal{I}$

ALUNG WITH MY FATHER LOREN EUGENE HALL, SR.,

AND OTHERS CONSPIRED TO POSSESS METHANPHETAMINE

WITH INTENT TO DISTRIBUTE. I SOLD METANPHETAMINE

AND DELIVERED MONEY THEREFROM TO MY FATHER IN

1987. I FURTHER INTRODUCED MY FATHER TO "COOKS"

(In the above space defendant must set out in detail what (s)he did. If more space is needed, add a separate page.)

FOR THE PURPOSE OF MANUFACTURING METHANPHETAMINE

SOME ACTS BY OTHER CONSPIRATORS WERE COMMITTED

IN THE NORTHERN DISTRICT OF OKLAHOMA.

<u>NOTE</u>: If the space provided is not sufficient for a complete response, you should add an attachment and indicate an answer is made in attachment.

<sup>&</sup>quot;Indictment" also includes "Information."

- (6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.
- (7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.
- (8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".
- (9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.
- (10) Know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.
- - (a) The amount specified in law defining the offense
  - (b) Double the gross pecuniary gain derived by a defendant from the offense
  - (c) Double the pecuniary loss caused by the offense to another person

(d) Any Felony; Misdemeanor resulting in Death Other Misdemeanor punishable by more than six months

Individual Def. \$500,000 \$500,000 \$500,000

My lawyer has also advised me that a Special Monetary Assessment in the amount of \$ 50.00 will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least 3 5 years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seg. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

- (12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.
- (13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:

(Here insert any promises or concessions made to the defendant or to his attorney.	If the plea of "GUILTY" is the result
of a plea agreement, refer to paragraph (14) of this petition.)	Supplementary       Supplementary

USE IMMUNITY / SUBSTANTIAL ASSISTANCE UNDER

RULE 35(6) IF DONE / NO FURTHER CHARGES IN

CONNECTION WITH THIS CONSPIRACY.

If anyone else, including my attorney, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.

I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".

(14) My plea of "GUILTY" (is) (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.

Since my plea of "GUILTY" is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:

USE IMMUNITY SUBSTANTIAL ASSISTANCE IF

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WITH THIS CONSPIRACY

I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".

- (15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.
- (16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:

GUILTY AS CHARGED IN THE INDICTMENT

<sup>&</sup>quot;The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s) \_\_\_\_\_\_\_, "NOT GUILTY as charged in Count(s) \_\_\_\_\_\_."

alcohol or drugs, and I am not under the influence of drugs, medicine or pills that I took within the past seven (7) days are:
NONE
(If none, so state.)
(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)
(19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.
(20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.
(21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.
Signed and Sworn to by me in open Court, in the presence of my attorney, this day of, 19
Subscribed and Sworn to before me this 29th day of lendy Smith

### CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant BARBARA ANN MARTENEY, hereby certifies:

- (1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.
- (2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553 et seq., and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

- (3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.
- (4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.
- (5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".
- (6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

NONE

<sup>(7)</sup> I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him/her the opportunity to withdraw his/her plea of "GUILTY".

Done in open Court this <u>39<sup>78</sup></u> day of <u>Movember</u>,

MITED STATES DISTRICT JUDGE





United States Attorney Northern District of Oklahoma

3600 United States Courthouse 333 West 4th Street Tulsa, Oklahoma 74103 918/581-7463

October 25, 1989

Mr. Ronald C. Bennett Attorney at Law P.O. Box 14070 Tulsa, Oklahoma 74159

Re: United States v. Barbara Ann Marteney, No. 89-CR-083-04-E

Dear Mr. Bennett:

Pursuant to our discussions, and Barbara Ann Marteney's desire to enter a plea of guilty to the above referenced One Count Indictment, this letter constitutes a plea agreement. As this offense occurred after November 1, 1987, the sentence in this case will be set in accordance with the Sentencing Guidelines. To calculate such a sentence the amount of controlled substance involved will be the primary factor in the determination of the offense level.

Ms. Marteney currently stands charged with one count of violating Title 21, U.S.C. §846, 841(a)(1), Conspiracy to Manufacture; Possess with Intent to Distribute and to Distribute Methamphetamine. After the amount of controlled substances is established and an offense level is determined, as pertains to this conspiracy, additional calculations, whether reductions or increases will be left solely to the determination of the sentencing judge.

Should your client plead guilty to the said Indictment, the maximum punishment under the statute is 20 years imprisonment, a \$1,000,000 fine, a \$50.00 special assessment, and a minimum term of three years to five years supervised release.



Mr. Ronald Bennett, Esq. October 25, 1989
Page 2

Timely acceptance of responsibility (§3E1.1) allows a 2 point level of reduction, if she agrees to the following:

- Enter a plea of guilty on or before the current trial date thereby assuming personal responsibility for the offense;
- Voluntary termination or withdrawal from criminal activity or associations;
- Voluntary and truthful admission to all government authorities, before sentencing, of his involvement in the offense related conduct.

The sentencing judge is in a unique position to evaluate the acceptance of responsibility and his determination will provide the final approval of such 2 level reduction of the offense level.

Our preliminary understanding of the pertinent facts and circumstances, as they are known to us at this time, indicates that your client's associations would enable her significantly to assist the pursuit of justice by providing direct first-hand information concerning alleged criminal acts and transactions.

Accordingly, the government is willing to enter into the following agreement with your client, Barbara Ann Marteney concerning investigations being conducted by various law enforcement agencies. In return for your client's cooperation and truthful testimony before any federal grand jury investigating illegal matters, as well as truthful testimony in any trial, including the current charge, against any defendant, or in any trial that may arise out of any case, or any investigation or related investigations in other federal districts, and her plea of guilty to the above referenced Indictment, the government will not subject her to additional federal criminal prosecutions for any criminal acts she committed in connection with such conspiracy, and will grant her immunity for the use of her disclosures and testimony. Additionally, the government agrees to advise the sentencing court, by motion before sentencing and/or after sentencing pursuant to Rule 35(b), F.R.C.P., that the defendant has made a good faith effort to provide substantial assistance (§5K1.1), if she has in fact done so, thereby allowing the court to a downward departure from the guidelines.



Mr. Ronald Bennett, Esq. October 25, 1989
Page 3

The actual sentence rendered by the district court following your client's plea of guilty remains in the sole discretion of the trial judge and the government cannot predetermine what would be the final result of the court's evaluation and decision after all factors are considered.

The assurance that your client will be granted "use" immunity and will not be subject to additional federal criminal prosecutions for such matters is being given to ensure that the government and the public will receive the full benefit of the knowledge and information in your client's possession and her complete, candid and truthful testimony concerning the activities of the individuals and the operations or entities involved in any narcotics/drug organization. Therefore, the government's representation to your client in this regard is expressly conditioned upon her complete cooperation with any and all government investigations concerning the above-referenced case and other investigations and/or cases, including any criminal prosecutions that may develop or have developed therefrom. In this connection, she agrees to make herself available to federal and state law enforcement personnel for interviews as and when reasonably requested by them.

As indicated above, the government defines "cooperation" to require complete, candid and absolutely truthful disclosures by your client in response to any and all questions or inquiries that may be put to her in connection with such investigations, actions or proceedings, whether in interviews with federal, state or local law enforcement personnel, before a Grand Jury or at trial. Should your client's statements or testimony be false, misleading or materially incomplete, or should she knowingly fail to act with total honesty and candor in any such matter, the government will no longer be bound by its representation to her concerning her freedom from additional criminal prosecutions as set forth above. In that event, she could not only be prosecuted for any additional federal criminal offenses presently known to or hereafter discovered by the government, but also for perjury and/or false statements as well.



Mr. Ronld Bennett, Esq. October 25, 1989
Page 4

I trust that the foregoing accurately sets forth the terms of our agreement. If these terms are acceptable to you and your client, please indicate your acceptance by signing this letter in the spaces provided below.

Very truly yours,

TONY M. GRAHAM

United States Attorney

OHN S. MORGAN

Assistant United States Attorney Organized Crime Drug Enforcement Task Force (OCDETF)

BARBARA ANN MARTENEY
Defendant

Nov 29 1989

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RONALD C. BENNETT

Attorney for Defendant

JSM:ddb

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James A. Gallas Circle of Court

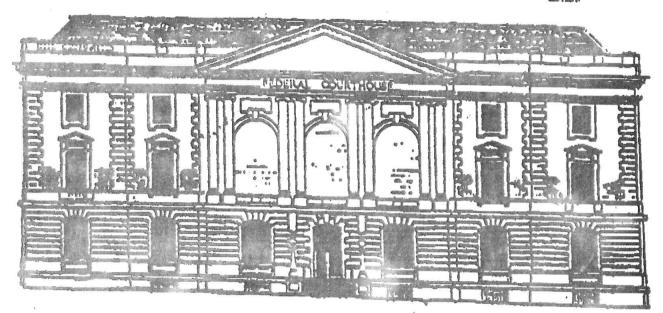
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MANES & ADDMESSES OF ATTORNEYS, SURETIES,	ATTORNEYS U.S. Atterney or Asst.  Gary D. Arheznii  Detence: 1 © CJA. 2 ©  Jacqueline Johns Assistant Federa 75 Public Square Cleveland, Ohio 216/522-4856  FTS 942-4856	C, AUSA 216/3 FTS 2  Ret. 3 D Weived  SON al Public Defen 4410 44113	63-3922 93-3922  4 © Self. 6 © Non/Other.  I hereby certify the instrument is a trecorrect copy of the on fils in my office. Attest: James S. U. S. Distinorthern.  By	nat this ue and ne original ce. Gallas, Clerk trict Court District of Ohio Deputy Clerk	On Reverse Side	20 21 BAIL @ PRE-IN Release Date Ball L.J Denied  AMOUNT SET \$10,000.  Pete Set   11/9/89  Date Send Made 11/9/89  POST-IN Release Date Ball L.J Denied  AMOUNT SET  Sell Denied  AMOUNT SET  Sell Desied  AMOUNT SET	40 In Our RELEASE DICTMENT  11/9/89  L Fugitive EX Pers. Rec. L PSA  Conditions L Collement L 3rd Prry L Other IDICTMENT  Pens. Rec. L PSA  Conditions L Surety Bnd L Colletered  Conditions L Surety Bnd L Colletered

	· · · · · · · · · · · · · · · · · · ·
DATE 11-8-89	CASE NO. 7 89-4126
Namo David Royce Lacle	Violation 21 846, 841(e) (7) 853
Address	Charge Read Rights Read Ristory Taken
Resident How Long Of Dist.	Bond Set At 10000 F FSA
Own Rent Other	AUSA Present ou abegnil
Telephone No. of	Present Jackie Johnson
Marital Status Depend.	Address
Employment (Brul Fuller)	Federal Defender Appointed
enter sich	Counsel Appointed (CJA)
How Long 3 - New Net Selery 3300	
Other Income	Defendant Ordered To Pay \$per m to Clerk of Court to apply toward attorney fees commencing
Previous Convictions:	Counsel To Be Retained :
	Defendent to advise Mag. by
What	if unable to retain counsel.
Where	Gov. orally moved for pt detention
When	CONTINUED TO: 11/27/88 == 6,00
Sentence	FOR: Preliminary Hearing Oklahomo
	Removal Hearing 5
On Parole or Probaction	U IL IP IIII
	Hearing on gov's motion for
Pending Cases:	Pretrial Detention 100, 9 1000
What	Other CLERK OF COURTS M Hearing Requested U.S. Ciskeepary Free Snames
Where	The state of the s
Bond	Preliminary Waived Waived
Taxe # 89-26-13	296 - 10 2+hereby certify that this
- f	instrument is a true and
	correct copy of the original on file in my office.
	Attest: James S. Gallas, Clerk
. //-	U. S. Dietliet Court
ARREST DATE: ///9/89	Northern District of Ohio
	Contact the Mole
	Deputy Clark Deputy Clerk

# FILED

## United States Vistrict Court

MOM 0 1989

	704 % A 6440 4-	The se district term and	- Alternation Annual		1494	9 1404
	NORTHERN	DISTRICT	OF	OHIO	95	ciockN
					CLERK O	F COURTS
UNITE	STATES OF AMERIC	A			U. S. Distric	t Court, N.D.O.
	V.		WAIVER	OF RULI	E 40 HEAR	UNGS
	id R. L	a del	(Exc	uding Prol	ation Case	(\$)
Jav	in 17. a	allo-	Case Number:	em &	39-41	126
1,	Danie K	1. La	del	<i>b</i>	_, understand	that in the
760		district of	RISA	0-11-D	, charges a	re pending
alleging violation	of 21 846, 6	84100	Q) 85	55	and that	l have been
arrested in this Di	istrict and taken before	united States M	agistrate, who	informed me	of the charge	and of my
proceedings to thi to determine if I s been returned or	l or request the assignment is district pursuant to Rulam the person named in the an information filed) to by me, the hearing to be	le 20, Fed. R. Cri he charge, and (4 determine wheth	m. P., in orde ) a preliminary ter there is pr	r to plead guild examination obable cause t	y, (3) an ident (unless an indi o believe an c	ity hearing ctment has
I HEREB	Y WAIVE (GIVE UP)	MY RIGHT TO A	(N):			
( ) identity he	earing					
( ) preliminar	y examination					
( ) identity he	earing and have been inf	ormed I have no	right to a pre	iminary exami	nation	
( ) identity he	earing but request a prel	iminary examinati	on be held in	the prosecutir	ng district	
and, therefore, co	onsent to the issuance of against me.	an order requirin	g my appearar	nce in the pros	ecuting district	where the
11-9-89	I hereby certify that this instrument is a true and correct copy of the original on file in my office.  Aftect: James S. Gallas, Cl. U. S. District Court Northern District of	erk Ž	Defendant	PZ		

# United States District Count-9 PM 4 50

NORTHERN

DISTRICT OF

OHIO, EASTERN DIVISION

UNITED STATES OF AMERICA

V

ORDER SETTING CONDITIONS
OF RELEASE

David A. Lack

Case Number: M 89-4126

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall advise the court and the U.S. attorney in writing prior to any change in address.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence

### Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

( V) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.

( ) (5) The defendant executes an onsecured bond binding the defendant to pay the United States the sum of

in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

I hereby certify that this instrument is a true and correct copy of the original on file in my office.

Attest: James S. Gallas, Clerk

U. S. District Court

Northern District of Ohlo

Deputy Clerk

	·		P. 7	
Page_	$\preceq$	of	<u> </u>	Pages

## FILED CLERK U.S. MSTOTET SHOTE

### Additional Conditions of Release

1999 NOV -9 FM 4: 50

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

)	(6)	- 1	(Na	defendant is placed in the custody of:  me of person or organization)
		- 0	CI	ldress) ty and State) (Tel. No.)
411 0	1:4	e	of t	to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant additions of release or disappears.
				Signed:
				Custodian or Proxy
			mb a	defendant shall:
				maipteth or actively seek employment.
	(	)	(b)_	Maintain or commence an educational program
	( •	-	(c)	abide by the following restrictions on his personal associations, place of abode, or travel:  travel restricted to the Northern District of Ohio
	(	)	(d)	avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses
	(	مسهد	(e)	report on a regular basis to the following agency
	(	)	(f)	comply with the following curfew:
	(	)	(g)	refrain from possessing a firearm, destructive device, or other dangerous weapon.
				refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substance defined in 21 U.S.C. \$802 unless prescribed by a licensed medical practitioner.
	( )	)	(i) _	undergo medical or psychiatric treatment and/or remain in an institution, as follows:
	( )	) !	(j)	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money of designated property:
	( )	) (	(k)	post with the court the following indicis of ownership of the above-described property, or the following amount of
				percentage of the above-described money:
	( )	) (	(1)	execute a ball bond with solvent sureties in the amount of \$
	( )	) 1	(m)	return to custody each (week)day as ofo'clock after being released each (week)day as ofo'clock for employment, schooling, or the following limited purpose(s):
	( )	) (	(n)	surrender any passport to
	ι,	,	(0)	obtain no passport.
	١.	,	(ħ)	

### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive

to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari

after conviction, for:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;

(4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

SECULE DE LE DE LE SO DE LE SO

Signature of Defendant

Address

City and State

Telephone

### Directions to United States Marshall

The defendant is ORDERED released after processing.

The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in cuspody.

Date: 1119189

Judicial Officer

NO
* *
A0 98 (
_ 1

m.

# United States Bistrict Courts Biston

DISTRICT OF CHIO, EASTERN DINDS 1019

NORTHERN DISTRICT OF THE

UNITED STATES OF AMERICA

APPEARANCE BOND

CASE NUMBER: m 89-4/26

Non-surety: 1, the undersigned defendant acknowledge that I and my	
Surety: We, the undersigned, jointly and severally acknowledge that we and our	
personal representatives, jointly and severally, are bound to pay to the United States of	f America the sum of
s and there has been deposited in the Registry of	of the Court the sum of
s in cash or (de	scribe other security.)
51 OR	Lago
The conditions of this bond are that the defendant	
is to appear before this court and at such other places as the defendant may be required to	appear, in accordance

with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated. together with interest and costs, and execution may be issued and payment secured as provided by the Federal

Rules of Criminal Procedure and any other laws of the United	518165
This bond is signed on Sono at .	Address 2100 Harris burg Rol Carter Of
	Address 2100 Harrisburg Rd, Castan Dha
Surety.	Addjess.
Signed and acknowledged before meharaby cartify that the instrument is a true are correct copy of the original in my office.  Altotal James S. Called C. U. S. Dictals C. Northern District.	ginal Judicial Officer/Clerk
Approved: Approved: Northern Dishic	lio O

AO 94 (10/82)

### COMMITMENT TO ANOTHER DISTRICT

Indie 40, Federal Rus	es of Criminal Procedure)			
United States District Court	Northern District o	f Ohio, Eastern Division		
UNITED STATES OF AMERICA	DOCKET NO.	A section of the sect		
V.	89 CR 83E	All		
	Northern District o	f Oklahoma		
DAVID ROYCE LADD, et. al.	MAGISTRATE CASE NO.			
A				
*	M89, 4126			
CHARGES AGAINST THE DEFENDANT ARE FILED BASED UPON AN Dindictment Dinformation Discomplaint Dither (specify)				
charging a violation of 21 U.S.C. §846 and 841 (a	)(1)			
Northern District of Oklahoma		9/87 through 2/16/89		
DESCRIPTION OF CMARGES:				
Conspiracy to manufacture, to possess with intent to distribute and to distribute methamphetamine.				
4				
	ell .			
	N. H.	~ .		
		CLEAK OCTUE		
\$ 10.000 unsecured with pretrial services super	4 4 .	08 9 1		
\$ 10,000 unsecured with pretrial services super				
	DISTRICT			
TO: THE UNITED STATES MARSHAL				
G T				
You are hereby commanded to take custody	of the above named defer	ndent and to transport		
that detendant with a certified copy of this comm	nitment forthwith to the d	istric of offense as		
specified above and there deliver the defendant to the United States Marshal for that District or to				
some other officer authorized to receive the defendant, in the event and only in the event the defendant falls to appear on November 27, 1989 at 9:00 a.m., Room 4536, U.S. Court-				
house, Tulsa, Oklahoma before Magistrate Jeff Wolfe.				
A/m), 21 /999 X-me, 6 // Section /				
Date United States Judge or Manipusts				
United States Judge or Magistrate Joseph W. Bartunek				
I L. RET	'URN			
I horoby certify that this instrument is a true-and				
This commitment was received and executed as follows: correct copy of the original				
on file in my office.				
DATE COMMITMENT ORDER RECEIVED PLACE OF COMMITMENT'S S. SHIPS, CIERK DATE DEFENDANT COMMITTED				
	MYTURASOCINED TO STUDIO THE TERM	ARSHAL		
	0 1 1	2 0		
By: CE Mull				
	The state of the s			

# United States District Court

NO:	RTHERN DIS	STRICT OFOKLAH	HOMA
U.S.A. V.			NOTICE
DAVID ROYSE LADD		CASE NUMBER:	
TYPE OF CASE:	□ CIVIL		
X TAKE NOTICE That a p	proceeding in this case has b	een set for the place date, a	and time set forth below:
U S COURTHOUSE TULSA OKLAHOMA		COURTROOM // DATE AND TIME JANUARY 16,	, 1990, 9:30 A.M.
TYPE OF PROCEEDING			
JURY TRIAL  TAKE NOTICE that the	proceeding in this case has	been continued as indicate	d below:
PLACE	DATE AND TIME PREVIOUSLY SCHEDULED	CONTINUED TO, DATE AND TIME	
11-27-89 DATE	,	JACK C. SILV  U.S. MAGISTRATE OR CLE  Beverly McC1  (BY) DEPUTY CLERK	RK OF COURT
To: FPD Defendant Jack Morgan			

NOTE: DEFENDANT MOTIONS DUE: 12-11-89

GOVERNMENT RESPONSES DUE: 12-21-89

CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 12-27-89 PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 1-3-90, 1:00 P.M.

REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 1-9-90

### MINUTE SHEET - SENTENCING

C	R.CASE NO. <u>89-CR-83-06</u>
DATE 11-21-89 USA vs. Michael	Steven Wall (AGE)
SENTENCI	<u>ING</u>
JUDGE COOK Deputy R. Miller  JUDGE ELLISON Deputy McCullough  JUDGE BRETT Deputy Overton  JUDGE Deputy Justing	Reporter Simpson Reporter Dorrough Reporter Caslavka Reporter
Counsel for Plaintiff Jack Mongon	)
	ourt Appointed; (FPD)
MINUTE: Enter as above.	
Defendant appears in person with counsel.	Counsel waived.
Defendant and counsel asked if they care pronounced, and no cause to the contrary	to say anything before sentence is
Sentenced to the custody of	as to Counts
Imposition of sentence suspended - Probat	ion as to Counts
_ 1 yr 1 day 5 yrs sup release, no	
50.00 SA - report to designated insti	tution 1-2-90 by 12:00 bond some man.
18:3553 Findings re PSI/Sentence made, Tr	
Sentence re: Guidelines; within same; D Findings Made	
Bond Exonerated.	
Defendant advised of right to appeal	
Defendant gives oral notice of appeal	
Appeal bond set at(cash or surety)	
Remanded to custody of U. S. Marshal.	
ADDITIONAL MINUTES:	
·	
	**
	U

CR-3:6/89

RECEIVED

UNITED STATES DISTRICT COURT FOR THE 89 00126 All: JEORTHERN DISTRICT OF OKLAHOMA

OCT 25 1989

Jack C. Silver, Clerk U. S. DISTRICT COURT

NO. . . DISTRICT

UNITED STATES OF AMERICA, Plaintiff,

vs.

KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, Defendant. No. 89-CR-83-02-E

OV 30 1989 Not

WAIVER OF EXTRADITION TO KANSAS

Jack C. Silver, werk U. S. DISTRICT COURT

COMES now the undersigned Kent Patrick Thimmesch a/k/a Paul Richard Lassley, and hereby agrees to be removed to the State of Kansas for the purpose of parole violation. Further, Thimmesch a/k/a Lassley does hereby waive any removal hearing or extradition hearing to which he may be entitled and understands and agrees that the Indictment pending herein will not be formally dismissed until such time as authorities from the State of Kansas arrive to so remove him within thirty (30) days hereof. During such time as the Indictment remains pending against this defendant this case will remain upon the jury docket for trial, and the requirements of a speedy trial are waived.

Subscribed and sworn to before me this 25th day of Oatland

1989.

APPROVED:

JAMES O. ELISION, U.S. District Judge United States District Court ) Northern District of Oklahoma)

I hereby certify that the foregoing is a true copy of the original on file in this Court.

Jack C. Silver, Clerk

Stanley Glenn Attorney for Deft.

Morgan, Asst. U.S. Attorney

#### MINUTE SHEET - SENTENCING

			CR.CAS	E NO.	89-CR-8.	3-03
DATE//-2/-89	_USA vs	down	Eugene	Hace A	(AGE	)
			•	0		
		SENT	ENCING			
JUDGE COOK  JUDGE ELLISON  JUDGE BRETT  JUDGE	Deputy	McCulloud	c gh	_ Reporte Reporte	r Simpson r Dorrough	
JUDGE BRETT	Deputy	Overton		Reporte	r Caslavka	
JUDGE	Deputy	<u> Islatin</u> n	$na\omega$	_ Reporte	r	
Counsel for Plaintiff	fac	k Mongo	7 N			
Counsel for Defendant	1000	Such Bloo	ele fun	Neslet		
MINUTE: Enter as above		Retained	i; Court	Appointed	A POST	
			1		•	
Defendant appears in p						el waived.
Defendant and counsel pronounced, and no cau	asked i ise to t	the contra	are to sa ary being	y anything shown,	g before s	entence is
Sentenced to the custo	ody of _			as	to Counts	
- le months, no fine	, 5 yr	Duper	release	850 SA		
report by 1-2-90,	12:00 1	noon; boni	a Romaci	) S		
Imposition of sentence						
18:3553 Findings re PS	SI/Sente	ence made	, Transcr	ipt Order	ed	
Sentence re: Guideli Findings Made	ines; wi	ithin same	e; Depart	ure; Upwa	rd/Downwar	d,
Bond Exonerated.						
Defendant advised of n	right to	appeal.				
Defendant gives oral m						
Appeal bond set at						
Remanded to custody of	f U.S.	Marshal.				
ADDITIONAL MINUTES: _						
		-				
	-					
						- B

CR-3:6/89

1. JURISDICTION 3 1 MAG. 2 DIST. 4	APPEALS OTHER	2. MAG. DOCK	KET NO.	3. DIST. CT. D =T NO. 89-CR-83-E	VOUCHER NO.	154895
4. APPEALS DOCKET NO.	5. FOR (DISTRICT/CIRCU ND OKLAHOMA	OKNTU		7. CHARGE/OFFENSE (U 21:846	J.S. or other ode citation)	7A. CASE COD 68
B. IN THE CASE OF USA	vs David Lac	dd		REPRESENTED (FULL N	AME)	9A. NO. 1 REPRES.
10. PERSON REPRESENTE			11. PROCEE	DINGS (Describe briefly)		
	OULT 3 APPELLAT			433 Day 14		y-142
12. PAYMENT CATEGORY	***	-0	ή ,	All Proceedings	TLI	D
A K FELONY  B DMISDEMEANOR	C PETTY OFFENSE	E E LI OTHER		r	1 1 1	ر د د
13. COURT ORDER	D LI AFFERE					- AB
	el F 🗷 Subs. for FD P	Subs. for Panel Att	٧.		NOV 28 19	89.
	Subs. for Retained Atty.		Appt. Date	Name of prior pa	nel attorney Voucher No.	
Because the above-named otherwise satisfied this co counsel and (2) does not	"person represented" has burt that he or she (1) is fir wish to waive counsel, and orney whose name appears	testified under oath or nancially unable to emp I because the interests o	has loy M M J to 2	AME OF ATTORNEY OF AILING ADDRESS U.S. Ohn E. Dowdell'S	SKEGNSilver, DISTRICT of Tower	Clerk COURT
Sig. of Providin	ng Judicial Officer or By O	rder of Count (Clark (De		ulsa, Oklahoma	74104	
November 28,		ruer or Court (Clerk/De	(puty)	e		
November 20,	1303			ELEPHONE NO.	16. SOC. SEC	. NO.
Date of Order	+ * N	lunc Pro Tunc Date	91	8/583-7571	442-60-	3716
		CLAIM FOR SERVI				
71	SERVICE	HOU	IRS	DATES		tiply rate per ho
a. Arraignment and/or I					obt	es total hours to ain "In Court"
b. Bail and Detention He c. Motions Hearings	earings					pensation.
	8				Ent	er total below.
<sub>Y</sub>						
e. Sentence Hearings f. Revocation Hearings						
g. Appeals Court					17A	TOTAL IN
h. Other (Specify on ad				2		COURT COMP
	= \$60.00 ) TOTAL H	HOURS =			\$	
8. a. Interviews and confe b. Obtaining and review					time	tiply rate per ho
b. Obtaining and review c. Legal research and br					cou	er total "out of rt" compensation
d. Travel time (Specify					4	TOTAL OUT C
e Investigative and other	er work (Specify on addition	onal sheets)				COURT COMPENSATION
(Rate per ho	ur = \$40.00) TOTAL	HOURS=			\$	
9. TRAVEL, LODGING, I	MEALS ETC. AMOU	JNT	OTHER EXPE	NSES AM	MOUNT 19A.	TOTAL TRAV
					-	EXT.
					\$	
2					198	. TOTAL OTHE EXP.
		<u> </u>			\$	
						GEAND TOTAL
						CLAIMED
					\$	
1 OFFITIEIO ATTOM	TTO DAY EN LINE TO THE	750100			*	
1. CERTIFICATION OF A				то		
las compensation and/or rei f yes, were you paid? Ye noney to you, or to your kn f yes, give details on additio	S NO If yes, by whor owledge to anyone clse, in nal sheets.	n were you paid?	How	much? Has t	the person represe ovide representatio	nted paid any n? YES
swear or affirm the truth or bove statements		NATURE OF ATTORN	IEY/PAYFF		DATE	<del></del>
22. IN COURT COMP.	23. OUT OF COUR		EL EXPENSE	25. OTHER EXPEN	SES 26.7	OTAL AMT.
SZ s	\$	\$		\$	\$	APPROVED/CEF
AA	RESIDING JUDICIAL OF	FICER		DATE	27A.	JUDGE/MAG. CODE
28. SIGNATURE OF CH	HIEF JUDGE, CT. OF APP	PEALS (OR DELEGAT	E)	DATE		OTAL AMT.

# United States District Court

	NORTHERN DIST	TRICT OF OKLAHOMA
U.S.A.		
	V.	NOTICE
BARBARA ANN	MARTENEY	CASE NUMBER: 89-CR-83-04-E
TYPE OF CASE:	□ CIVIL	□ CRIMINAL
TAKE NOTICE	That a proceeding in this case has bee	en set for the place date, and time set forth below:
PLACE U. S. COUF	RTHOUSE	ROOM NO. COURTROOM #2
TULSA OK		DATE AND TIME
		JANUARY 26, 1990, 1:15 p.m.
TYPE OF PROCEEDING		
SENTE	ENCE	
TAKE NOTICE	that the proceeding in this case has be	een continued as indicated below:
PLACE	DATE AND TIME PREVIOUSLY SCHEDULED	CONTINUED TO, DATE AND TIME
	SCHEDULED	AND TIME
		JACK C. SILVER, CLERK
		U.S. MAGISTRATE OR CLERK OF COURT
11-29-89		Powerty McCullough
DATE		Beverly McCullough (BY) DEPUTY CLERK

To: Defendant Ron Bennett Jack Morgan

14

IN THE UNITED STATES DISTRICT COURT FOR THE COURT NORTHERN DISTRICT OF OKLAHOMA NOV 2 1989
Jack C. Silver, Clerk  U. S. DISTRICT COURT  Plaintiff,  vs.  BARBARA ANN MARTENEY  Defendant.
WAIVER OF JURY  I, the undersigned defendant, having been fully apprised of my rights, do hereby waive a jury and agree to try the above-entitled case to the Court as provided by Rule 23(a), Rules of
Criminal Procedure.
CONSENT OF GOVERNMENT:  Defendant  Defendant  Manual C. Bernett  Attorney for Defendant
Signed and approved in open Court this $29$ day of $700$ , $1989$ .

UNITED STATES DISTRICT JUDGE

21

## United States District Court

NORTHERN District of OKLAHOMA

Silver, Clerk

UNITED STATES OF AMERICA

٧.

JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Loren Eugene Hall, Jr

Case Number 89-CR-083-003-E  $\checkmark$ 

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40.675	
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#10 TO THE	
Translation and	
725	
111111111111111111111111111111111111111	

(Name of Defendant)	Jim Heslet Defendant's Attorney
THE DEFENDANT:	
□ pleaded guilty to count(§) <u>Count One of</u> □ was found guilty on count(s) <u>plea of not guilty.</u>	
T'.   0 0 .	ty of such count(s), which involve the following offenses: <u>e of Offense</u> <u>Count Number(s)</u>
Possession	to Manufacture, Count One With Intent to Methamphetamine
The defendant is sentenced as provided in page imposed pursuant to the Sentencing Reform Ac	es 2 through of this Judgment. The sentence is t of 1984.
<ul> <li>□ The defendant has been found not guilty on and is discharged as to such count(s).</li> <li>□ Count(s)</li></ul>	count(s),  (is)(are) dismissed on the motion of the ed in the portion of this Judgment that imposes a fine. the United States a special assessment of \$\frac{50}{},
It is further ordered that the defendant shall 30 days of any change of residence or mailing assessments imposed by this Judgment are full	notify the United States Attorney for this district within address until all fines, restitution, costs, and special y paid.
Defendant's Soc. Sec. Number:	
512-64-7511	November 21, 1989
Defendant's mailing address: 211 Overlook Drive	Date of Imposition of Sentence  Signature of Judicial Officer
Derby, Kansas 67037	Signature of Judicial Officer The Honorable James O. Ellison United States District Judge
Defendant's residence address:	Name & Title of Judicial Officer
	Date

*	
AO 245 S (3/88) Sheet 2 - Imprisonment	
Defendant: Loren Eugene Hall, Case Number: 89-CR-083-003-E	Jr. Judgment—Page 2 of 4
The defendant is hereby commit imprisoned for a term of <u>Sixteen</u>	ted to the custody of the United States Bureau of Prisons to be (16) months
☐ The Court makes the following rec	commendations to the Bureau of Prisons:
	custody of the United States Marshal. ne United States Marshal for this district,
a.m. □ at p.m. on	
as notified by the Marshal.	·
	vice of sentence at the institution designated by the Bureau of Prisons
★ before ½xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx	
<ul> <li>as notified by the United States</li> <li>as notified by the Probation Of</li> </ul>	s Marshal.
	RETURN
I have executed this Judgment as	follows:
Defendant delivered on	to at , with a certified copy of this Judgment.

By \_\_\_\_\_\_\_
Deputy Marshal

United States Marshal

Judgment—Page 4 of 4

Defendant: Loren Eugene Hall, Jr.

Case Number: 89-CR-083-003-E

#### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer:
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall not possess a firearm, or any other dangerous weapon.

  These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation office.

Judgment—Page 3 of 4
Defendant: Loren Eugene Hall, Jr Case Number: 89-CR-083-003-E
SUPERVISED RELEASE
Upon release from imprisonment, the defendant shall be on supervised release for a term of
While an augustical release the defendant shall not commit another Endard, state, or least arises and
While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that he defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:
The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
N/A

#### MINUTE SHEET - CRIMINAL

DATE 11-29-89 USA VS. Barbara ann Marteney (AGE)
ARRAIGNMENT &/OR CHANGE OF PLEA
JUDGE COOK Deputy R. Miller Reporter Simpson   JUDGE ELLISON Deputy McCullough Reporter Dorrough   JUDGE BRETT Deputy Overton Reporter Caslavka   MAG. WAGNER Deputy J.Miller Recorded   MAG. WOLFE Deputy Mayes Reporter   Recorded Recorded
Counsel for Government  Counsel for Defendant  Retained; Court Appointed; FPD
Defendant appears in person with counsel; without counsel; counsel waived
Defendant acknowledges receipt of Indictment; Information
Waives Indictment; jury trial; 30 days preparation; separate representation
Waivers approved by Court
Defendant advised of charge and arraigned
<pre>Indictment, Superseding Indictment; Information; Superseding Information; Filed; read  reading waived</pre>
Enter plea of <u>Sulty</u> as to Counts <u>/</u>
Defendant withdraws plea(s) of Not Guilty to Counts
Counts to be dismissed at sentence
Petition to enter plea of guilty sworn to and executed; Defendant relates facts of charge; petition (and/or Plea Agreement) approved and filed
Defendant adjudged guilty as charged in Counts
Findings re: Plea Agreement; Made/Reserved
Objections to PSI to be filed by
Rule 32 hearing set
SENTENCE SET Jan 26, 1990, 1:15 P.m. PSI ordered
Defendant allowed to stand on present bond; Defendant remanded to USM  Defendant (s) to file any and all pre-trial motions hobation office
Government to respond
Certification of Discovery Disputes
Pre-trial conference & hearing on motions at
Parties to file any suggested voir dire, inst. & trial briefs
Jury trial; Non-Jury trial at

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED NOV 21 1989 OF

					1000
UNITED STATES OF AN	MERICA,	)			Jack C. Silver, Cle
Plaintiff		)			U.S. DISTRICT COLL
vs.		)	Crim. No. 89-C	R-83-06-E	
MICHAEL STEVEN HAL	L,	)			
Defenda	ant.	)			
	MEMORANDUM AND REPORT OF				
Counsel and the matters set forth were re herein, were stated in o					
1. Was the	e presentence investigat	ion repo	rt (PSI) reviewe	d by counse	l and Defendant?1
				X Yes	No
2. (a)	Was information withh	eld purs	uant to FRCrP 3	2(c)(3)(A)?	
				Yes	X_ No
(b)	If yes, has summary be-	en provi	ded by the Cour	t pursuant t	o FRCrP 32(c)(3)(B)?
				Yes '	No
3. (a)	Were all factual statem	ents cor	ntained in the PS	31 adopted v	vithout objection?
				X_Yes	No

<sup>&</sup>lt;sup>1</sup>NOTE: Several of these questions can be addressed by attaching a partial transcript of the sentencing hearing or guideline worksheets. For other items where you need more space, please attach separate pages.

If no, the PSI was adopted in part with the exception of the following factual issues in dispute:

(A copy of the adopted portions of the PSI should be attached and made part of the public record.) Disputed issues have been resolved as follows after \_\_\_\_ evidentiary hearing, (b) \_\_\_\_ further submissions and/or \_\_\_\_ arguments: \_\_\_\_ Yes 4. Are any legal issues in dispute? X No If yes, describe disputed issues and their resolution: 5. (a) Is there any dispute as to guideline applications (such as offense level, criminal history category, fine or restitution) as stated in the PSI? X Yes \_\_\_No If yes, describe disputed areas and their resolution: Dispute over amount of methamphetamine created during portion of conspiracy for which Defendant feels responsible. Resolved in favor of government. (b) Tentative findings as to applicable guidelines are: Total Offense Level: Criminal History Category: I 121 to 151 months imprisonment 3 to 5 years supervised release \$ 280,000.00 to \$ 1,000,000.00 fine (plus cost of imprisonment/supervision n/a restitution special assessment (\$\_\_\_\_\_ on each of counts ) 6. (a) Are there any legal objections to the tentative findings? Yes \_\_X No (b) If no, the findings are adopted by the Court.

If yes, describe objections and how they were addressed:

(c)

7.	Check	appropr	nate space:
	<u>X</u>		ks by counsel for Defendant. (The order of argument and/or mendations and allocution may be altered in accord with the Court's ee.)
		Defend	lant speaks on own behalf.
	<u>X</u>	Remar	ks by counsel for Government.
8.	The se		vill be imposed in accordance with prescribed forms in Bench Book Sec. 5.02
	12	Month	s and one day imprisonment
		Month	s/intermittent community confinement
		Month	s probation
	_5	Years :	supervised release
	\$		Fine (including cost of imprisonment/supervision)
	\$		Restitution
	\$_50.0	0	Special assessment (\$ on each of counts)
	Other	provisio	ns of sentence (Community service, forfeiture, etc.):
		*	
9.	Check	appropr	iate space:
	(a)		The sentence is within the guideline range and that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by application of the guidelines.
	OR		The sentence is within the guideline range and that range exceeds 24 months, and the reasons for imposing the selected sentence are:
			*
	(b)	<u>x</u>	Sentence departs from the guideline range as a result of:
			x substantial cooperation upon motion of the government
			OR
			a finding that the following (aggravating or mitigating) circumstance exists that is of a kind or degree not adequately taken

into consideration by the Sentencing Commission in formulating the guidelines and that should result in a sentence different from that described by the guidelines for the following reasons:

(c)	Is restitution applicable in this case? Yesx _No
	Is full restitution imposed? Yes No
	If no, less than full restitution is imposed for the following reasons:
	*
(d)	Is a fine applicable in this case? Yes No
	Is the fine within the guidelines imposed? Yes No
	If no, the fine is not within guidelines or no fine is imposed for the following reasons:
	Defendant is not able, and even with the use of a reasonable installment schedule is not likely to become able, to pay all or part of the required fine; or
	Imposition of a fine would unduly burden the Defendant's dependents; or
	Other reasons as follows:
	*
Was a	plea agreement submitted in this case? <u>x</u> Yes No
Check	appropriate space:
<u>x</u>	The Court has accepted a Rule ll(e)(1)(A) charge agreement because it is satisfied that the agreement adequately reflects the seriousness of the actual offense behavior and accepting the plea agreement will not undermine the statutory purposes of sentencing.
	The Court has accepted either a Rule ll(e)(1)(B) sentence recommendation or a Rule ll(e)(l)(C) sentence agreement that is within the applicable guideline range.
	The Court has accepted either a Rule ll(e)(l)(B) sentence recommendation or a Rule ll(e)(l)(C) sentence agreement that departs from the applicable guideline range because the Court is satisfied that such a departure is authorized by l8 U.S.C. 3553(b).
Sugges to this	tions for guideline revisions resulting from this case are submitted by an attachment report.
	Yes No

10.

11.

- 12. The PSI is to be maintained by the U.S. Probation Office under seal. Those sections adopted and incorporated as part of this statement of reasons will be part of the public record.
- 13. The Clerk shall prepare the judgment.
- 14. The Clerk will provide this Memorandum of Sentencing Hearing and Report of Statement of Reasons to the U.S. Probation Department for forwarding to the Sentencing Commission, and if the above sentence includes a term of imprisonment, to the Bureau of Prisons.

DATED this Z/5 day of November, 1989.

JAMES . ELLISON

UNITED STATES DISTRICT JUDGE

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILE D NOV 21 1989 OU

UNITED STATES OF AMERICA,  Plaintiff,  vs.  LOREN EUGENE HALL, JR.,  Defendant.	)	Crim. No. 89-CR-83-03-	Jack C. Silver, Clerk U.S. DISTRICT COURT				
		ENTENCING HEARING TEMENT OF REASONS					
Counsel and the Defendant were present for sentencing hearing on Nov. 21, 1989. The matters set forth were reviewed and considered. The reasons for sentence, 18 U.S.C. 3553(c), as set forth herein, were stated in open court.							
1. Was the present	tence investigation i	report (PSI) reviewed by cou	nsel and Defendant?1				
		X_Ye	es No				
2. (a) Was inf	formation withheld p	oursuant to FRCrP 32(c)(3)(	A)?				
		Ye	es <u>X</u> No				
(b) If yes, h	as summary been p	rovided by the Court pursua	nt to FRCrP 32(c)(3)(B)?				
		Ye	es No				
3. (a) Were al	l factual statements	contained in the PSI adopte	ed without objection?				
		<u>X</u> Ye	es No				

<sup>&</sup>lt;sup>1</sup>NOTE: Several of these questions can be addressed by attaching a partial transcript of the sentencing hearing or guideline worksheets. For other items where you need more space, please attach separate pages.

If no, the PSI was adopted in part with the exception of the following factual issues in dispute:

(A copy of the adopted portions of the PSI should be attached and made part of the public record.) (b) Disputed issues have been resolved as follows after \_\_\_\_ evidentiary hearing, \_\_\_\_ further submissions and/or \_\_\_\_ arguments: 4. Are any legal issues in dispute? Yes X No If yes, describe disputed issues and their resolution: 5. (a) Is there any dispute as to guideline applications (such as offense level, criminal history category, fine or restitution) as stated in the PSI? X Yes No. If yes, describe disputed areas and their resolution: Dispute over amount of methamphetamine created during portion of conspiracy for which Defendant feels responsible. Resolved in favor of government. (b) Tentative findings as to applicable guidelines are: Total Offense Level: Criminal History Category: X 188 to 235 months imprisonment 5 years supervised release \$\_280,000.00 to \$\_1,000,000.00 fine (plus cost of imprisonment/supervision n/a restitution special assessment (\$\_\_\_\_\_\_ on each of counts \_\_\_\_\_) 50 6. (a) Are there any legal objections to the tentative findings? Yes \_\_X No (b) If no, the findings are adopted by the Court. (c) If yes, describe objections and how they were addressed:

7.	Check	appropr	iate spac	e:									
	<u>X</u>		ks by nendatio e.)										
	<u>X</u> _	Defend	lant spea	ıks on o	wn beh	nalf.							
	<u>X</u>	Remar	ks by co	unsel fo	r Gover	rnment							
8.	The ser		vill be im	posed ir	ı accord	lance v	vith pre	escribe	d forn	ns in B	ench	Book S	Sec. 5.02
	_16	Month	hs imprisonment										
		Month	hs/intermittent community confinement										
		Months probation											
	_5	Years :	supervise	d releas	ie								
	\$		Fine (i	ncluding	g cost o	of impr	isonme	ent/sup	ervisi	on)			
	\$		Restitu	tion									
	\$_50.00	0		Specia	lassess	ment (	(\$		on e	ach of	f cour	its	
	Other	provisio	ns of sen	tence (	Commu	nity se	rvice, 1	forfeitu	ıre, et	c.):			
		*											
9.	Check	appropr	iate spac	e:									
	(a)		24 mor	ntence is nths, an for by a	d the C	Court f	inds no	o reas	on to	hat ra depari	nge d from	oes no 1 the s	t exceed sentence
	OR		The se	ntence i	s withi	in the	guideli impos	ine rai	nge ar e selec	nd tha	t rang	ge exc ce are:	eeds 24
				*									
	(b)	<u>x</u>	Senten	ce depai	ts from	the g	uidelin	e rang	e as a	resul	t of:		
			_x_	substar	ntial co	operati	on upo	on mot	ion of	f the g	overr	ıment	
			OR										
				a find	ing th stance e	at the	e follo	owing f a kind	(agg l or de	ravatii gree n	ng o	r mit	igating) ly taken

into consideration by the Sentencing Commission in formulating the guidelines and that should result in a sentence different from that described by the guidelines for the following reasons:

(c)	Is restitution applicable in this case?	Yes	_x_ No		
	Is full restitution imposed?	Yes	No		
	If no, less than full restitution is imposed for t	he following rea	asons:		
	*				
(d)	Is a fine applicable in this case?	_x_ Yes	No		
	Is the fine within the guidelines imposed?	Yes	No		
If no, the fine is not within guidelines or no fine is imposed for the follow reasons:					
	x Defendant is not able, and even with the schedule is not likely to become able, fine; or				
	Imposition of a fine would unduly burd	en the Defendan	it's dependents; or		
	Other reasons as follows:				
	*				
Was a	plea agreement submitted in this case?	x Yes	No		
Check	appropriate space:				
<u>x</u>	The Court has accepted a Rule ll(e)(1)(A) charge that the agreement adequately reflects the subhavior and accepting the plea agreement was purposes of sentencing.	eriousness of the	he actual offense		
	The Court has accepted either a Rule ll(e)(1)(I Rule ll(e)(l)(C) sentence agreement that is with	3) sentence reco	ommendation or a e guideline range.		
	The Court has accepted either a Rule ll(e)(l)(E) Rule ll(e)(l)(C) sentence agreement that deparrange because the Court is satisfied that such U.S.C. 3553(b).	rts from the app	plicable guideline		
Suggest to this	tions for guideline revisions resulting from this cast report.	se are submitted	by an attachment		
		Yes	x No		

10.

11.

- 12. The PSI is to be maintained by the U.S. Probation Office under seal. Those sections adopted and incorporated as part of this statement of reasons will be part of the public record.
- 13. The Clerk shall prepare the judgment.
- 14. The Clerk will provide this Memorandum of Sentencing Hearing and Report of Statement of Reasons to the U.S. Probation Department for forwarding to the Sentencing Commission, and if the above sentence includes a term of imprisonment, to the Bureau of Prisons.

DATED this **Z/**<sup>27</sup> day of November, 1989.

JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

R

## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	
Plaintiff,	100 V 15 1989 1
vs.	11 S. Dieza, Clerk
LOREN EUGENE HALL, JR.	EDURT COURT
Defendant.	) No. 89-CR-83-03-E

#### SUBSTANTIAL ASSISTANCE MOTION

Comes now the government and advises the Court that the above defendant pleaded guilty herein on the 11th day of September, 1989. His sentencing is currently scheduled for November 21, 1989 at 9:00 a.m.

This defendant, Loren Eugene Hall, Jr., has made a good faith effort to provide substantial assistance in the investigation and/or prosecution of other persons who have committed federal offenses.

Pursuant to the provisions of the Sentencing Guidelines \$5K1.1, the government moves for the Court to depart from the guidelines to grant this defendant an appropriate reduction in sentence.

Reasons for the Court to consider such a downward departure, is the conduct of the defendant, which conduct, for security reasons, should be presented <u>in camera</u>, to the Court at time of sentencing, or any other time so ordered.

Respectfully submitted,

TONY M. GRAHAM

United States Attorney

JOHN S. MORGAN

Assistant United States Attorney 3600 U.S. Courthouse

333 West Fourth Street Tulsa, Oklahoma 74013

#### CERTIFICATE OF SERVICE

This is to certify that on the \( \sumset \) day of November, 1989, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Jim Heslet, Esq., 5561 S. Lewis, Suite 200, Tulsa, Oklahoma 74108.

Assistant United States Attorney

JSM:ddb

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## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
Plaintiff,	NOV 1 5 1989 ,
vs.	Jack C. Silver, Clerk & D. S. Distribut COURT
MICHAEL STEVEN HALL,	)
Defendant.	) No. 89-CR-83-06-E

#### SUBSTANTIAL ASSISTANCE MOTION

Comes now the government and advises the Court that the above defendant pleaded guilty herein on the 11th day of September, 1989. His sentencing is currently scheduled for November 21, 1989 at 9:00 a.m.

This defendant, Michael Steven Hall, has made a good faith effort to provide substantial assistance in the investigation and/or prosecution of other persons who have committed federal offenses.

Pursuant to the provisions of the Sentencing Guidelines \$5K1.1, the government moves for the Court to depart from the guidelines to grant this defendant an appropriate reduction in sentence.

Reasons for the Court to consider such a downward departure, is the conduct of the defendant, which conduct, for security reasons, should be presented <u>in camera</u>, to the Court at time of sentencing, or any other time so ordered.

Respectfully submitted,

TONY M. GRAHAM United States Attorney

JOHN S. MORGAN

Assistant United States Attorney 3600 U.S. Courthouse 333 West Fourth Street Tulsa, Oklahoma 74013

#### CERTIFICATE OF SERVICE

This is to certify that on the \( \square \) day of November, 1989, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: David Booth, Esq., Federal Public Defender, 222 South Houston, Suite C, Tulsa, Oklahoma 74127.

Assistant United States Attorney

JSM:ddb

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UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

ž.	) ACK C SHIVER CLERY
UNITED STATES OF AMERICA,	) "JE DISTINCT CUVET
Plaintiff,	) No. 89-CR-83-06-E
	)
MICHAEL STEPHEN HALL, et al.,	)
Defendants.	)

#### OBJECTION TO PRESENTENCE REPORT

Pursuant Local Rule 33.1, Defendant Michael Stephen Hall makes his specific objections to the presentence report.

Paragraph 5 states, inter alia, "In the summer of 1987, this conspiracy was initiated between Loren Hall, Sr., and David R. Ladd....The conspiracy eventually grew to include Michael Hall....Eugene Gruver, a friend of [another defendant] joined the conspiracy in September, 1988, followed by Loren Hall, Jr., and Michael Hall in the same general time frame, after being recruited by their father and companion defendant Loren E. Hall, Sr. Loren E. Hall, Sr., [the father] initially enticed his family's participation in the conspiracy with occasional gifts and displaying large sums of money. Case reports indicate precursor chemical purchases and laboratory analysis of chemicals seized reflect a conservative total of 28 pounds of methamphetamine could have been produced during the course of the total conspiracy with a street value of \$280,000."

Based on the preceding, defendant Michael Hall's total offense level has been calculated as 32, and the guideline imprisonment range is 121 to 151 months. See paragraphs 5, 8, 13, 15, and 25.

Defendant Michael Hall objects to the imposition of a sentence above or within the previously reference 121 to 151 It is clear from the presentence report that this month range. defendant was not involved in the conspiracy as long as some of the others and that his role in the offense was less than that of some of the others. He is being treated as if he was involved in the conspiracy from its inception and as if his role in the offense was the same as that of the others. Although the guideline scheme may require similar sentences for conspirators, the guideline scheme as applied to defendant Michael Hall is unfair as applied and deprives him of due process and subjects him to cruel and unusual punishment. His sentence, if above or within the guideline sentencing range is grossly disproportionate to the severity of the crime. Ingraham v. Wright, 430 U.S. 666, 668 (1977).

All calculations are based upon the premises that this defendant was involved in a conspiracy to manufacture and distribute 28 pounds of methamphetamine. The conclusion as to the amount is not based on evidence sufficient to support the conclusion of defendant Michael Hall's liability for 28 pounds. The presentence report is quite clear that Michael Hall entered the conspiracy more than one year after its inception. No distinction has been made between the amounts of methamphetamine manufactured before his entry into the conspiracy and the methamphetamine manufactured after his entry into the conspiracy. Additionally, the determination of 28 pounds is based upon conjecture, speculation, and estimation and thus is insufficient for the purpose of sentencing defendant Michael Hall.

Wherefore, defendant Michael Hall requests an evidentiary hearing to determine fairly and accurately the exact amount of methamphetamine for which he should be liable and to then have his guidelines recalculated accordingly.

Respectfully submitted,

David Booth

Federal Public Defender

222 South Houston

Suite "C"

Tulsa, Oklahoma 74127

(918) 581<del>-</del>7656

FTS 745-7656

Counsel for Defendant

Michael Stephen Hall

#### CERTIFICATE OF SERVICE

I hereby certify that on this the 13th day of November, 1989, I caused a true and correct copy of this Objection to Presentence Report to be hand delivered to the office of Mr. Jack Morgan, Assistant United States Attorney, counsel for Plaintiff, and to Mr. Melvin J. Fields, United States Probation Officer.

David Booth

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

Plaintiff,

Vs.

KENT PATRICK THIMMESCH a/k/a
Paul Richard Lassley,

U.S. DISTRICT COURT

Defendant.

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss the Indictment against KENT PATRICK THIMMESCH a/k/a Paul Richard Lassley, defendant.

MOTION AND ORDER OF DISMISSAL

TONY M. GRAHAM United States Attorney

) NO. 8¶-CR-83-0**2**-E √

Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the Indictment.

United States District Judge

DATE:

1. JURISDICTION 3 APPEALS 2. MAG. DOCKET NO. 3. DIST.CT. D. T.NO. 89-CR-0-B  4. APPEALS DOCKET NO. 5. FOR (DISTRICT/CIRCUIT) ND OKLAHOMA OKNTU 7. CHARGE/OEFENSE (U. 21:841 (a) (1) co. 21:841 (a) co. 21:841	FILED  OCT 26 1989
8. IN THE CASE OF U.S.A. VS MARTENEY  10. PERSON REPRESENTED (STATUS) 1 DEFENDANT—ADULT 3 APPELLANT 5 OTHER 2 DEFENDANT—JUVENILE 4 APPELLEE  11. PROCEEDINGS (Describe briefly) All Proceedings  12. PAYMENT CATEGORY A DEFELONY C PETTY OFFENSE E OTHER B MISDEMEANOR D APPEAL  13. COURT ORDER O Appointing Counsel F Subs. for FD P Subs. for Panel Atty.  C C-Co-Counsel R Subs. for Retained Atty.  Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the atterney whose name appears in item 14 is appointed to represent this person in this case.  Sig. of Pesiding Judicial Officer or By Order of Court (Clerk/Deputy)  14. NAME OF ATTORNEY/PAYMAILING ADDRESS Ronald C. Bennet: P.O. Box 14070 Tulsa, OK 74127	FILED  OCT 26 1989
10. PERSON REPRESENTED (STATUS)  1 DEFENDANT—ADULT 3 APPELLANT 5 OTHER  2 DEFENDANT—JUVENILE 4 APPELLEE  12. PAYMENT CATEGORY A FELONY C PETTY OFFENSE E OTHER B MISDEMEANOR D APPEAL  13. COURT ORDER O Appointing Counsel F Subs. for FD P Subs. for Panel Atty.  C Co-Counsel R Subs. for Retained Atty.  Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the atterney whose name appears in item 14 is appointed to represent this person in this case.  Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy)  BARBARA ANN MARTENE  11. PROCEEDINGS (Describe briefly)  All Proceedings  12. PAYMENT CATEGORY  All Proceedings  13. NAME OF ATTORNEY/PAYMAILING ADDRESS  Ronald C. Bennet  P.O. Box 14070  Tulsa, OK 74127	FILED  OCT 26 1989
1 DEFENDANT—ADULT 3 APPELLANT 5 OTHER 2 DEFENDANT—JUVENILE 4 APPELLEE  12. PAYMENT CATEGORY A FELONY C PETTY OFFENSE E OTHER B MISDEMEANOR D APPEAL  13. COURT ORDER O Appointing Counsel F Subs. for FD P Subs. for Panel Atty.  C Co-Counsel R Subs. for Retained Atty.  Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the atterney whose name appears in item 14 is appointed to represent this person in this case.  Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy)  All Proceedings  All Proceedings  All Proceedings  All Proceedings	Jack C. Silver, Clerk
12. PAYMENT CATEGORY  A FELONY C PETTY OFFENSE E OTHER  B MISDEMEANOR D APPEAL  13. COURT ORDER  O Appointing Counsel F Subs. for FD P Subs. for Panel Atty.  C Co-Counsel R Subs. for Retained Atty.  Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the atterney whose name appears in item 14 is appointed to represent this person in this case.  Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy)  Tulsa, OK 74127	Jack C. Silver, Clerk
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Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the atterney whose name appears in item 14 is appointed to represent this person in this case.    Appt. Date	VEE AND
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NOCtober 24. 1989	
The state of the s	16. SOC. SEC. NO.
Date of Order Nunc Pro Tunc Date (918) 592-5592	442-44-2036
CLAIM FOR SERVICES OR EXPENSES	
SERVICE HOURS DATES	Multiply rate per hou times total hours to
a. Arraignment and/or Plea	obtain "In Court"
b. Bail and Detention Hearings	compensation.
c. Motions Hearings	Enter total below.
L d. Trial α	121 2 2
6. Sentence Hearings	
O f. Revocation Hearings	
Z g. Appeals Court	17A. TOTAL IN
h. Other (Specify on additional sheets)	COURT COMP.
(Rate per hour =\$60 ) TOTAL HOURS =	\$
18. a. Interviews and conferences	Multiply rate per hou
α b. Obtaining and reviewing records	times total hours. Enter total "out of
c. Legal research and brief writing	court" compensation
d. Travel time (Specify on additional sheets)	18A. TOTAL OUT O
e. Investigative and other work (Specify on additional sheets)	COURT
(Rate per hour =\$40 ) TOTAL HOURS=	\$
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### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED IN OPEN COURT OCT 2 5 1989

Jack C. Silver, Clerk U. S. DISTRICT COURT

UNITED STATES OF AMERICA, Plaintiff,	)	U. S. DISTRICT COU
vs.	ý	
KENT PATRICK THIMMESCH a/k/a	)	No. 89-CR-83-02-E
PAUL RICHARD LASSLEY,	)	
Defendant.	)	

#### WAIVER OF EXTRADITION TO KANSAS

COMES now the undersigned Kent Patrick Thimmesch a/k/a Paul Richard Lassley, and hereby agrees to be removed to the State of Kansas for the purpose of parole violation. Further, Thimmesch a/k/a Lassley does hereby waive any removal hearing or extradition hearing to which he may be entitled and understands and agrees that the Indictment pending herein will not be formally dismissed until such time as authorities from the State of Kansas arrive to so remove him within thirty (30) days hereof. During such time as the Indictment remains pending against this defendant this case will remain upon the jury docket for trial, and the requirements of a speedy trial are waived.

Subscribed and sworn to before me this 25th day of On Aca

1989.

APPROVED:

JAMES O. ELYSION, U.S. District Judge

Jo Stanley Glenn Attorney for Deft.

John S. Morgan, Asst. U.S. Attorney

Color House

## IN THE UNITED STATES DISTRICT COURT FOR THE ... NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

<b>^</b>	. Handee Sheet	GEITE	131			
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Plaintiff	(5),	Case N	0.89-CR	-:83-03-	=	
,	¥					
vs.		Date	10/25	189		
Kent Patrick The a/k/a Paul Richard	mmerch					
8/4/21-Pa 0 Die	9:	BB00==				
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		(*)			WE .	3
Derendant	(3).					-
JUDGE CCCK Dep	uty R. Miller_	•	Reporter	Simpson		
JUDGE ELLISCH Dep	uty McCullough		Reporter	Dorrougn -		
	uty Overton -		Reporter	Caslavka		
	ary					
			Reporter_		-	
COUNSEL FOR: Plai	ntiff J. Mar	gan				
Defe	ndant <i>Ja S.</i>	Glenn	10.		-	
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*	INFORMATION SHEET
10/2	1989, Before Ma061524a1989 Wagner ( Wolfe ( )
Case No. 89-CR-8	3-0-(- E Jack C. Silver, Clerk
UNITED STATES OF AMERI	CA V. BALBALA U.S. DISTRICT COURT
Defendant's Age $3$	Sex F Date of Birth 4/30/55
Defendant's Address _	213 E. FIXST, APT B
	HUTCHINSON, 1aus. 67501-05
_	(Phone #) 699-9103
Date of Arrest	10/10/89 Arrested by wic
Bail Fixed \$	(Cash or Surety) (10% Dep) (Unsecured)
Bail Made \$2	0,000 (Cash or Surety) (10% Dep) (Unsecured)
Bail Not Made	
Special Conditions: ( ( ( ( ( ( (	Travel restricted to ND/OK and D O Kusas  Refrain from possession of firearm, etc.  Successful participation in drug screening  )
Preliminary Exam: Date	Scheduled at
Arraignment: Date Sche	duled at
Defendant Requests Pub Defendant's Attorney:	lic Defender: yes () no ()    Ct.Apptd) (Retained)   P.O. BOX 14010   TWSA, OK 74169 (Phone #) 592-5592
Attorney for USA:	J. Moreson.
Remarks:	4 40 in Run Kausang.
Minute: Dappears Appt + prisent 40 ll mld.	for IA. Finan Affid rec'd, FIR.  Our also held, seled dates  Bond set surved & made.

<sup>( )</sup> Defendant remanded to custody of U. S. Marshal.

### FINANCIAL AFFIDA T

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

	IN UNITED STA	TES _ MAGISTRATE   DISTRICT   APPEALS COURT or   OTHER PANEL (Specify below)
IN TH	E CASE OF	FOR LOCATION NUMBER
		vs
L		
		ESENTED (Show your full name)  1 Defendant—Adult    Docket Numbers   Magistrate
	ISAK	PERMENTENET
		4 Probation Violator
_ 0	CHARGE/OFFENS	EE (describe if applicable & check box + )
	10000	
	Maria	Jack C. Silver Per Cherk U.S. DISTRICT COURT  U.S. DISTRICT (Specify)
	- CAELHO	MPH ETAM 21:876.
		ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY
		Are you now employed? ✓ Yes ☐ No ☐ Am Self Employed
		Name and address of employer: EATUM CESSIVA AUTOMOSICA IGNORAL IF NO, give month and year of last employment
	EMPLOY-	earn per month? \$ How much did you earn per month \$
	M-LK I	If married is your Spouse employed?   Yes No
		IF YES, how much does your If a minor under age 21, what is your
		Spouse earn per month \$ Parents or Guardian's approximate monthly income \$
		Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources?
	OTHER	RECEIVED SOURCES
SSETS -	INCOME	RECEIVED & IDENTIFY \$
		THE SOURCES
	CASH	Have you any cash on hand or money in savings or checking account eres $\square$ No IF YES, state total amount \$5.
		Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary
	PROP-	household furnishings and clothing)? Pes No  VALUE  DESCRIPTION
	ERTY	IF YES, GIVE VALUE AND \$ 500 77 CHEYSUR
		DESCRIBE IT
		MARITAL STATUS  Total No. of  List persons you actually support and your relationship to them
		SINGLE Dependents Com YEM OLD 5000
	DEPI	ENDENTS   MARRIED
BLIGATIO	ONS	SEPARATED OR DIVORCED
DEBTS	DEB	Creditors Total Debt Monthly Payt.
	MON	THLY OR HOME: \$\$
		LL CREDI-
	BANKS, PANIES,	NCLUDING LOAN COM- CHARGE TS. ETC.)
	ACCOUNT	I certify the above to be correct.
	SIG	NATURE OF DEFENDANT

WARNING:

A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

## FILED

	IN THE UNITED			
INTER CE			OF OKLAHOMA	Jack C. Silver, Clerk U.S. DISTRICT COURT
UNITED ST	ATES OF AMERIC	Α,	)	U.S. DISTRICT COURT
	Plaintif	f,	)	
vs.			) NO. 89-	-CR-83-04-E
			)	
BARBARA A	• MARTENEY		( ) Y. N.	
			)	
	Defendan	t(s)	)	
	ORD	ER APPOINTI	NG COUNSEL	
employ coaffiant(s	ounsel, and to is/are fina	an affidayi npon review ncially una Northern Di	it as to fin , the Court able to obta strict of O	89, the above- ancial ability to finds that the ain counsel. In klahoma Plan for
IT I	S HEREBY ORDER	ED that the:		
		roceedings u		to represent the in til relieved by
XX	name(s) of	a private rappointmen	attorney o	th furnish the or attorneys, as nt the following:
	reasonable (	th his/her a	roviding rebility to pay	vernment for the epresentation in y as determined
	Federal Public represent the	Defender i	s temporarily	y appointed to
	for purposes of	of initial a	ppearance on	Ly.
Date	d this <u>24th</u> da	ay ofOCT	OBER	19 89
		/	Sel Sul	1/2-
			JOHN LEO WAGI	VER
			UNITED STATES	MAGISTRATE

# United States Aistrict Court

NOR'	THERN DIST	RICT OFOKLA	HOMA
U.S.A.			
V.			NOTICE
BARBARA ANN MARTENEY	Ĭ.	CASE NUMBER:	89-CR-83-04-E
TYPE OF CASE:	☐ CIVIL	☼ CRIMINAL	
X TAKE NOTICE That a pro	oceeding in this case has beer	n set for the place date,	and time set forth below:
PLACE		ROOM NO.	
U S COURTHOUSE TULSA OKLAHOMA		COURTROOM	¥2
TODON ORDANIONA		DECEMBER 18	3, 1989, 9:30 AM.
TYPE OF PROCEEDING		Jack 10	, 1505, 5.30 MI.
JURY TRIAL  TAKE NOTICE that the p	roceeding in this case has be	en continued as indicate	d below:
PLACE	DATE AND TIME PREVIOUSLY	CONTINUED TO, DATE	
	SCHEDULED	AND TIME	
	*		
10-24-89		JACK C. SILV	
DATE		Beverly McCı (BY) DEPUTY CLERK	ıllough
DATE		(BT) DEPOTT CLERK	
7. 6. 1			
To: Defendant			

To: Defendant Ron Bennett Jack Morgan

NOTE: DEFENDANT MOTIONS DUE: 11-6-89

GOVERNMENT RESPONSES DUE: 11-14-89

CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 11-21-89 PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 11-29-89, 9:00 A.M.

REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 12-11-89

DATE RECEIVED

07-06-89

## United States District Court

NORTHERN	DISTRICT OF	OKLAHOMA	
UNITED STATES OF AMER V.		89 62 0707 01 WARRANT FOR A	
BARBARA ANN MARTENEY			
	CASE	NUMBER:	
To: The United States Marshal and any Authorized United States	Officer	89CR	83E
YOU ARE HEREBY COMMAN	NDED to arrestBARE	Name	
			The state of the s
and bring him or her forthwith to the	nearest magistrate to answer	a(n)	11011 0 1000 (
			NOV 2 1989 (
Indictment Information Com	plaint	Jo	n Violation Petition ack C. Silver, Cla S. DISTRICT COU
Charging in Or Her With (brief description of	offense)		
Conspiracy to Manufactur Methamphetamine; Forfeit		to Distribute; and to	CO
1		art.	9 =
		ō	3 7
		9	27
in violation of Title21	United States Code, Section	n(s)846, 841(a)(1) = 853	ס
		<b>M</b> 0 M 1 M 1 M 1 M 1 M 1 M 1 M 1 M 1 M 1 M	e Andri
JACK C. SZLVER Name of Issuing Officer	Title of the	0	Super
Name of Issuing Officer	Title of iss	suing Office L 0 6 1989	0
Signature of Issuing Officer	Date and	** ** ***	
	•		
Bail fixed at \$		Name of Judicial Office	r
	RETURN		
This warrant was received and execu	All and the second seco	ove-named defendant at	TCHINSON
		To Hamou dorondant at 775	
KANSAS.			

To: The United States Marshal

## United States District Court

NORTHERN

DISTRICT OF -

OKLAHOMA

UNITED STATES OF AMERICA

V.

8962 C

KENT PATRICK THIMMESCH a/k/a Paul Richard Lassley

and any Authorized United States Officer

8962 0707 01833) WARRANT FOR ARREST

CASE NUMBER:

89CR

83E

YOU ARE HEREBY COMMANDED to arrest <u>Kent Patrick Thimmesch a/k/a Paul R. Lassley</u>				
and bring him or her forthwith to the nearest magistrate to answer a(n)				
☑ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition				
charging him or her with (brief description of offense)  Conspiracy to Manufacture; Possess with Inent to Distribute; and to Distribute Methamphetamine; Forfeiture  2 1969  Jok C. Silver, Clorical County of the C				
United States Code, Section(s) 846, 841(a) (1), 853  JACK C. SILVER  Name of Issuing Officer  Title of Issuing Officer  Date and Location				
Bail fixed at \$ by  Name of Judicial Officer				
RETURN				
This warrant was received and executed with the arrest of the above-named defendant at				
DATE RECEIVED  8-8-89  DATE OF ARREST DEPUTY V. S. Marshal Dawn S. Fland				

UNITED STATES DISTRICT COURT FOR THE IN OPEN COURT
NORTHERN DISTRICT OF OKLAHOMA

JUL 5 1989

Uack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,
KENT PATRICK THIMMESCH a/k/a
PAUL RICHARD LASSLEY,
LOREN EUGENE HALL, JR.
BARBARA ANN MARTENEY,
DAVID ROYSE LADD and
MICHAEL STEVEN HALL,

United States District Court )
Northern District of Oklahoma ) SS

Defendants.

I hereby certify that the foregoing is a true copy of the original on file in this Court.

THE GRAND JURY CHARGES:

Jack C. Silver, Clerk
By

Deputy

COUNT ONE

[21 U.S.C. §§846, 841(a)(1), 853]

#### A. INTRODUCTION

Beginning in or about September, 1987, and continuing through and including February 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., §846, as follows:

(1) To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

No.

INDICTMENT
[21 U.S.C. §§846, 841(a)(1):
Conspiracy to Manufacture;
Possess with Intent to
Distribute; and to
Distribute, Methamphetamine;
21 U.S.C. §853: Forfeiture]

- (2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. §841(a)(1).
- (3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

#### B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

- (1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR.,
  DAVID ROYSE LADD, and others both known and unknown to the grand
  jury, would and did knowingly purchase precursor chemicals in the
  Northern District of Oklahoma, and elsewhere, with the intent to
  manufacture mehtamphetamine.
- (2) LOREN EUGENE HALL, JR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.
- (3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and unknown to the grand jury would and did knowingly manufacture methamphetamine.
- (4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.

#### C. OVERT ACTS

To effect the objects of the conspiracy, the defendants named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

- (1) In or about September or October, 1987, LORAN EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.
- (2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.
- (3) In or about September or October, 1987, BARBARA ANN MARTENEY, in Texas, sold methamphetamine, and delivered money therefrom to LORAN EUGENE HALL, SR.
- (4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.
- (5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.
- (6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.
- (7) On or about October 28, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

- (8) On or about October 31, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., purchased chemicals and glassware in Tulsa, Oklahoma.
- (9) On or about November 15, 1988, LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator purchased chemicals in Tulsa, Oklahoma.
- (10) On or about November 28, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., Tulsa, Oklahoma, to advise that he would be coming or calling to place an order for 110 pounds of Ephedrine.
- (11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock.
- (12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas.
- (13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit.
- (14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
- (15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR.
- (16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas.

- (17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetmaine.
- (18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
- (19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals.
- (20) On or about February 15, 1989, LOREN EUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas.
- (21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory.
- (22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas.
- (23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie.
- (24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICAHRD LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas.

(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

#### D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United States by the Court of the above defendant's following described property upon their individual and respective convictions herein, pursuant to Title 21, United States Code, §853:

- (1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.
- (2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM United States Attorney

Ву

S/Jack Morgan
Assist. U.S. Attorney

S/HARRY STEPHENS

Assistant United States Attorney

Foreperson

JSM:ddb

## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

OCT 23 1989 OUT

	1003 / )(3
UNITED STATES OF AMERICA,	Jack C. Silver, Clerk U.S. DISTRICT COURT
Plaintiff,	) DISTRICT COURT
VS.	) No. 89CR 83E 🗸
KENT PATRICK THEMISCH a/k/a PAUL RICHARD LASSLEY,	)
Defendant.	)

#### ORDER GRANTING EXTENSION OF TIME

Now on this 20 day of October, 1989, this matter having come on before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma, upon Defendant Kent Patrick Themisch, a/k/a Paul Richard Lassley's Motion for Extension of Time to file proposed voir dire and proposed jury instructions, the Court finds that Defendant's Motion should be sustained.

> UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT

#### CERTIFICATE OF SERVICE

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Order Granting Extension of Time on this \_\_\_\_ day of October, 1989, to: Jack Morgan, Assistant U.S. Attorney.

BY MOVANT TO ALL COUNSEL AND PRO SE LITIGANTS IMMEDIATELY

Jo Stanley Glend

#### UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK DISTRICT OF KANSAS

RALPH L. DELOACH CLERK 204 U.S. COURTHOUSE **401 NORTH MARKET** WICHITA, KANSAS 67202 (316) 269-6491 FTS: 752-6491

OCT 19 1989

490 U.S. COURTHOUSE 444 S.E. QUINCY TOPEKA, KANSAS 66683 (913) 295-2610

FTS: 752-2610 151 U.S. COURTHOUSE 812 NORTH SEVENTH

Jack C. Silver, Clerk U.S. DISTRICT COURT KANSAS CITY, KANSAS 66101 (913) 236-3719 FTS: 757-3719

October 17, 1989

Jack C. Silver, Clerk 411 U.S. Courthouse 333 W. 4th Street Tulsa, OK 74103

RE: United States of America vs. Barbara Ann Marteney

Magistrate No. 89-1081M-03

JACK C. SILVER, CLERK U. S. DISTRICT COURT

Dear Clerk:

I enclose, pursuant to Rule 40, copies of the following papers:

Waiver of Removal Hearing Courtroom Minute Sheet dated 10-10-89 Order Setting Conditions of Release Appearance Bond Financial affidavit

Please acknowledge receipt of the above papers on the enclosed copy of this letter.

Sincerely,

RALPH L. DELOACH, CLERK

Enclosures

cc: Ass't. U.S. Attorney

U.S. Magistrate

U.S. Probation

## FILED

## United States District Court

OCT 1 2 1989

J.	unen States o	inititi Oi	OCT 1 2 1989
	DISTRICT	OF KANSAS	10 29 39
			Cala Ray De
UNITED STATES O	0 100 100 100 100 100 100 100 100 100 1		<i>J</i>
V.	BLLED		F RULE 40 HEARINGS ng Probation Cases)
	OGT 1: 1989	,	
BARBARA ANN MAR	RTENEY, C. Silver, Clerk U.S. DISTRICT COURT	ase Number: 89	9-1081M-03 9-CR-8 <b>3</b> -04E
I, <u>Barbara Ann Ma</u> r			, understand that in th
Northern	District ofOk]	Lahoma	, charges are pending
alleging violation of21_U	JSC 841; 846 and 853	}	and that I have been
arrested in this District and tak	en before a United States Ma	agistrate, who info	rmed me of the charge and of m
proceedings to this district purs to determine if I am the person	suant to Rule 20, Fed. R. Crin named in the charge, and (4) on filed) to determine whether	<ul> <li>n. P., in order to p</li> <li>a preliminary exar</li> <li>er there is probable</li> </ul>	counsel, (2) request transfer of the blead guilty, (3) an identity hearing mination (unless an indictment hale cause to believe an offense hatrict of prosecution.
I HEREBY WAIVE (G	IVE UP) MY RIGHT TO A	(N):	
(X) identity hearing			
( ) preliminary examination	1		
( ) identity hearing and har	ve been informed I have no r	ight to a prelimina	ary examination
( ) identity hearing but req	uest a preliminary examination	on be held in the p	prosecuting district
and, therefore, consent to the i charge is pending against me.	ssuance of an order requiring	my appearance in	the prosecuting district where the

Defendant

October // , 1989

Date

Chu B. Waly

### CLERK'S COURTROOM MINUTE SHEET - CRIMINAL

PRETRIAL	PROCEEDINGS

CASE	NO. 89-1	081 M-03	FILED "	
UNITED STATES OF AMERICA	A	11/a	OCT 1 1 1989	
	P P E		COLL DOLOACH CLE	<del>A</del>
Darbara ain Marte	R ney A			· .
** * ** ** **	N C E		•	
<u> </u>	S	( )Retained	( )Appointed	ā
JUDGE: Wooley	*	AT	KANSAS CITY	<u> </u>
CLERK: Larew			WICHITA	
REPORTER:			TOPEKA	
( )ARRAIGNMENT & PLEA  ( )CHANGE PLEA  ( X)Def. sworn to financia (X)Constitutional Rights in the constitutional Rights in the constitutional Rights in the constitution of the constitution of the constitution of the constitution in the constituti	( ) APPEARING Explained extent thent sfer under filed ilty ( ) No Being of the state of the s	OF INDICTMENT  ANCE  (X) Counsel  () Will be pr  () Information  Rule 20  () Complain  () Indictment  () Information  Coulty Coulty  Coulty Coulty  Co	t () Violation () Number of on () Read to D ounts:	MEANOR Le Slegender) Grand Jury n Notice Counts efendant Withdrawi Accepted
( )Remain at \$ () ( )Counts: ( )? ( )Continued to 10-11-89a t	X)Release To be Dism	ordered ( issed on Motion	l ()Remanded) Detention order of U.S. Attor of Sent	ered
Motions to be filed by:				
Responses or briefs filed by	<u>:</u>		Reply Briefs:	
Motions heard on: Tentative Trial Date:				
( ) Defendant waived Omnibus ( ) Defendant refused to pro District Court	Hearing ceed in Ma	gistrate's Cou	rt and remanded	to

## FILED

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

OCT 1 11989

FOR THE DISTRICT OF RANSAS	
UNITED STATES OF AMERICA,	CH (
Plaintiff,	
v. Case No. 89-1081	<b>M</b> -03
BARBARA ANN MARTENEY )	
Defendant. )	
The defendant under oath has sworn or affirmed as to his	Ş
financial inability to employ counsel.	
Offense: 21 USC 841 Drugs	-
Federal Public Defender	
Appointed on 10-10-89 by:	
X United States Magistrate John B. Wooley	
United States District Judge	
Case assigned to: Federal Public Defender	
Defendant is released upon signing \$20,000.00 OR bond	_
213 E. lst, Apt. B, Hutchinson, Kansas 67501 316/669-9403	_
The following proceedings are set for hearing on the da	tes
indicated:	
1. Omnibus Hearing & Arraignment , 19 2. Preliminary Hearing , 19 3. Removal Hearing 10-11 , 19	: : 89_:
There is are5 co-defendant(s) in this case.	
Dated this 10th day of U. S. XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	7

Clerk or Deputy Clerk

#### CJA 23 P.

# FINANCIAL AFFIDAVIT

425 e 46.24 11	UNITED STA	TES YWMAGISTRATE   DIST	RICT _ APPEALS COURT of	☐ OŢHER PANEL (Specify below)	•
IN THE		7 ,	FOR		LOCATION NUMBER
	USA	vs. Derbara	DISTRICT	OF KANSAS	KSXWI
an	n M	Collensy	WICHITA,	KANSAS	
/	7	SENTED (Show/your full name)		1 Defendant—Adult	Magistrate DCCKET NUMBERS
13	below	Com Martine	7	2 ☐ Defendant—Juvenile 3 ☐ Appellant	
			J	4 Probation Violator	District Court
_ ~		5 (describe if applicable 9 about how	Felony	5 Parole Violator	Court of Appeals
CH	ARGE/OFFENS	E (describe if applicable & check box	Misdemeanor	6 ☐ Habeas Petitioner 7 ☐ 2255 Petitioner	
				8 Material Witness	
				9 Other (Specify)	
			and the second second		
(	7	Are you now employed?	Yes No	Am Self Employed	job due to arifst
		Name and address of emplo	oyer: Cesana Hutc	heren ir	Morked 20KS101
	EMPLOY-	IF YES, how much do you		NO, give month and year of	
	MENT	earn per month? \$_	• /	ow much did you earn per	1
		If married is your Spouse e			tivoured?
		Spouse earn per mont		under age 21, what is you Guardian's approximate n	
		Have you received within the pas			
		the form of rent payments, interes	st, dividends, retirement or	annuity payments, or other source	es? 🗆 Yes 📉 No
SETS -	OTHER INCOME	IF YES, GIVE THE AMOUN	RECEIVED	SOURCES	
		RECEIVED & IDENTIF	Y \$	1/me	
		THE SOURCE		- C	set or hard -1
	CASH	Have you any mand or m	oney in savings or checking	account No IF YE	S, state total amount \$
		Do you own any real estate, household furnishings and clot	stocks, bonds, notes, a hing)? Yes \( \subseteq \text{No} \)	utomobiles, or other valuable	property (excluding ordina
	PROP-		VALUE TO	DESCRIPTION OF THE PROPERTY OF	
	ERTY	IF YES, GIVE VALUE AN DESCRIBE	ID \$ 500,	17 Chuplin Gratol	10C
		DESCRIBE			
		MARITAL STATUS	No. of	rsons you actually support and you	
	D.F.D.	SINGLE	Dependents	anda // (thener	1 Caronton (age
	DEP	ENDENTS   MARRIED		J. 11 (1) (1) (1)	( ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( (
LIGATION	IS	SEPARATED OR DIVORCED			
DEBTS	DEBT	S & APARTMENT	Creditors	+ .	Total Debt Monthly Pa
	MON	THLY OR HOME:	3 60/	2 / apt # B \$_	\$
	BILL	S.L CREDI.	Tchrism , Hou	1es \$_	\$\$
JBSCRI Q , DAY	MINKS, A	OAN /tom-	THIS	\$	\$
Har	CALCODO M	, 1989	I postification - 1	\$	\$\$
- 4-0-	- 1	NATURE OF DEFENDANT	i certify the ab	ove to be correct.	
S. MA	GISTRA	OR PERSON REPRESENTED)	PRO.	13/08-	10/10/10
WADNI	NC. A F	LSE OR DISHONEST ANSWI	R TO A QUESTION IN	THIS ASSIDANT WAY DE	DINICHADI - TV
PAKNI	OR	mprisonment, or both		THE SE	LANISUABLE BY LINE

# United States District Court

NORTHERN	DISTR	CICT OF OKLAHO	MA
USA			
V. BARBARA ANN MARTENEY		CASE NUMBER:	<b>NOTICE</b> 89-CR-83-04-E
TYPE OF CASE:	CIVIL	⊠ CRIMINAL	
X TAKE NOTICE That a proce	eeding in this case has been s	set for the place date, a	nd time set forth below:
U.S. Courthou 333 W. 4th St Tulsa, OK 74		POOM NO. 4541  DATE AND TIME OCTOBER 26,	1989, 9:00 A.M.
APPOINTMENT OF COUNSEL	•		
TAKE NOTICE that the pro	ceeding in this case has been	n continued as indicated	below:
PLACE	DATE AND TIME PREVIOUSLY SCHEDULED	CONTINUED TO, DATE AND TIME	
		JACK C.	SILVER, CLERK
10-19-89 DATE		U.S. MAGISTRATE OR CLER	lough, Deputy Clerk

To: Defendant Jack Morgan Probation Vb

## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

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JANK	001	. 17	1909	de
JACK U.S. D	U.S. IST.	RICT	R. CLE COUR	RK

UNITED STATES OF AMERICA,	JACK C. SILVER, CLERK U.S. DISTRICT COURT
Plaintiff,	)
Vs.	) No. 89CR 83E
KENT PATRICK THEMISCH a/k/a PAUL RICHARD LASSLEY,	) ) )
Defendant.	)

#### MOTION FOR EXTENSION OF TIME

COMES NOW the Defendant, Kent Patrick Themisch, a/k/a Paul Richard Lassley, by and through his attorney, Jo Stanley Glenn, and requests the court grant an extension of time in which to file proposed voir dire questions and proposed jury instructions. In support of said motion, the Defendant would allege and state:

- 1. That due to the Court's schedule, trial will not commence on the scheduled date of October 23, 1989.
- 2. That attorney for the Defendant has been in trial and unable to complete material prior to this date.
- 3. That Jack Morgan, Assistant United States Attorney, has no objection to the extension of time.

WHEREFORE, for the reasons stated above, the Defendant would request the Court to extend the filing of voir dire and jury instructions until just prior to the commencement of trial

24

Respectfully submitted,

Jo Stanley Glenn, OBA#3411 Attorney for Defendant Kent Patrick Themisch a/k/a Paul Richard Lassley 1154 E. 61st Tulsa, OK 74136 (918) 749-5531

#### CERTIFICATE OF SERVICE

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Motion for Extension of Time on this \_\_\_\_\_ day of October, 1989, to: Jack Morgan, Assistant U.S. Attorney.

Jo Stanley Glenn

### COMMITMENT TO ANOTHER DISTRICT

(10/82) (Rule 40, Federal Rul	les of Criminal Procedure)
United States Bistrict Court	COLORADO
UNITED STATES OF AMERICA	DOCKET NO.
V.	89-CR 83E FILED
KENT PATRICK THIMMESCH	MAGISTRATE CASE NO. OCT 12 1989 B
	89-832M
CHARGES AGAINST THE DEFENDANT ARE FILED BASED UPON AN  Xandictment □ information □ complaint	U.S. DISTRICT COURT
charging a violation of 21 U.S.C. § 846, 841(a)(1),	853
OKLAHOMA  DESCRIPTION OF CHARGES:	DATE OF OFFENSE
Conspiracy to Manufacture; Possess with Intent to Forfeiture	Distribute; and to Distribute Methamphetamine;  I, the undersigned, Clerk of the  United States District Court for the  United States District Cou
BOND IS FIXED AT  S Defendant is ordered detained until appearance in	Oklahoma Colorado
specified above and there deliver the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to receive the defendant to some other officer authorized to some other officer	the United States Marshal for that District or to
RE	TURN
This commitment was received and executed as follows:	
DATE COMMITMENT ORDER RECEIVED PLACE OF COMMITMENT	DATE DEFENDANT COMMITTED
DATE UNITED STATES MARSHAL	(BY) DEPUTY MARSHAL

#### MISCELLANEOUS DOCKET UNITED STATES DISTRICT COURT

DOCKET NO.

89-832M

U.S.A.  v.  Kent Patrick Thimmesch			ATT	ORNEYS	
		For plaintiff:  For defendant:			
	MEMORANDA	DATE	NAME OR RECEIPT NO.	RECEIVED	DISBURSED
United District the for original					
DATE	PROCEEDINGS	Ш			Date Order or Judgment Noted
7/5 7/6 8/1	INDICTMENT  W/A issued  Affidavit for removal  INITIAL APPEARANCE(DEA)defendant a  presented by counseldef. waived right f  onlyORAL motion of gov't for detention  of statute def. ordered detained w/out bond hearingORDER: def. remanted to custo  WAIVER of Rule 40 HEARING	or app. on ORI	OF counsel in the OER: based on p	is district	

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

#### INITIAL APPEARANCE

Judi	E/Magistrate D.E. ARRAM	Date August 1, 1989
Dep	uty Clerk Nefrorch lower	Court Rep./Tape #/BER / 43/ A
	n. No. 89-832M	USA V. Kint faul Thimmesch aka Paul LASSLE
		Counsel for Govt. and rew Vogt
		Counsel for Deft. w/o counsel
عمد	energi:	Pretrial/Prob. Off
601	APLAINT/INFORMATION/INDICTMENT	Northern District of Oklahome
	3:05 p.m. Court in Session.	
[]	Defendant () has a copy of the charges	() will be furnished a copy of the charges when recd.
M	Defendant advised of the charges and pe	enalties.
X	Defendant advised of right to remain	silent, right to be represented by counsel.
M	Defendant advised the Court he/she ()	has counsel who is
/ \	OR ( ) will hire counsel. If the defendan	rt cannot retain counsel the Court will be advised
	DEFENDANT WAIVED APPUNTMENT	to that counsel may be appointed only.
[]	Financial affidavit executed. Defendan	t found () ABLE () UNABLE to hire counsel.
[]	ORDERED: () Federal Public Defender	appointed;
	() Counsel to be appointed	from CJA panel.
[]	ORDERED: Bond set () Personal Reco	ognizance; ()\$Unsecured;
	() \$ cash/corpora	ate surety/ real property; -OR-
	()\$10% cash de	posit.
[]	ORDERED: Defendant to abide by cond	ditions of bond as set forth on attached sheet.
SX	6ral motion of Governme	ent for Detention, hearing is set at
	on	before Magistrate
[]	ORDERED: Preliminary/Removal/Ident	ity hearing is set at
	on	before Magistrate
[]	ORDERED: Arraignment set at	on
	before Magistrate	•
X	ORDERED: based progum	ption of stateth defendantis
	ordered detains for the	nt book.
	Defindent sweated the	s Waws of Kuls 40 Heaven;
		Lyth Condensistance Clark of the
	EXDES: Dylendant Arman	rded to austody of U.S. Marshel
	for removal to	Oktakoma C.
		6.
		ar a of said
	3./30m. Court in Recess.	Court Litter October
	•	By Stily Theut Harls
		War and Kill and A Wall

## United States District Court

UNITED STATES DISTRICT COURT. DENVER, COLORADO AUG 0 1 1989

DISTRICT OF \_\_\_\_COLORADO

JAMES R. MANSPEAKER CLERK DEP. CLERK

UNITED STATES OF AMERICA

٧.

**WAIVER OF RULE 40 HEARINGS** (Excluding Probation Cases)

KENT PATRICK THIMMESCH aka Paul Lassley

Case Number:

89-832M

I, Kent Patrick Thimmesch	, understand that in the
Northern District of0k	lahoma, charges are pending
alleging violation of 21 U.S.C. 58 841(a)(1) a	nd 853 and that I have been
arrested in this District and taken before a United State right to:	es Magistrate, who informed me of the charge and of my
proceedings to this district pursuant to Rule 20, Fed. R. to determine if I am the person named in the charge, an	f I am unable to retain counsel, (2) request transfer of the Crim. P., in order to plead guilty, (3) an identity hearing d (4) a preliminary examination (unless an indictment has hether there is probable cause to believe an offense has a this district or the district of prosecution.
I HEREBY WAIVE (GIVE UP) MY RIGHT T	O A(N):
( ) identity hearing	
( ) preliminary examination	
( XX) identity hearing and have been informed I have	no right to a preliminary examination
( ) identity hearing but request a preliminary exam	ination be held in the prosecuting district
charge is pending against me.  / E, the under the for the District of the District of the District of and original origi	Defendant in the prosecuting district where the
Date	Defense Counsel

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

	CQ
UNITED STATES OF AMERICA	Hagistrate's Docket No
Kent Patrick Thimme	AFFIDAVIT FOR REMOVAL PROCEEDING
aka # Paul Lassley BEFORE THE UNITED STATES HAGISTRATI	· E
The undersigned affiant, on the has received concerning this can	he basis of his investigation and information se through official channels, does hereby
certify: On July 6, 1989, a War	rrant for Arrest was issued in the Morthern (if applicable)
	Jack C. Silver Clerk  (full name and title)
	on (X) indictment filed at Tulsa Ok (city and state)
charging the above-named with viole	ation of Title 21. Section 846,84/(a)(1)85-
	n of Methamphotomine Forfeiture.
at which time bond in the amount o	V /
was ( ) recommended or ( ) fixed.	C2 1 2 9
The above-named defendant was	(date)
at //:45 K.H. /P.H., at 6/6/	Pierce St. Westminster, CO.
	Deputy U.S. Marshal  (title of officer)
Subscribed and sworn to before	1 at (1) 4
U in Completion the	
er .	United States Magistrate
Court 4th October	e chant

NORTHERN

## United States Bistrict Court

UNITED STATES OF AMERICA  V.  KENT PATRICK THIMMESCH  a/k/a Paul Richard Lassley	89 62 0707 0183D WARRANT FOR ARREST
To: The United States Marshal and any Authorized United States Officer	89CR 83E
YOU ARE HEREBY COMMANDED to arrestKs	ent Patrick Thimmesch e/k/a Paul R. Lasuley Name
and bring him or her forthwith to the nearest magistrate to	answer a(n)
☑ Indictment ☐ Information ☐ Complaint ☐ Order of con	urt 🔲 Violation Notice 🔲 Probation Violation Petition
charging him or her with sorted description of offenses	
Conspiracy to Manufacture; Possess with Methamphetamine; Forfeiture	Inent to Distribute; and to Distribute
in violation of Title 21 United States Code,	Section(s) 846, 841(a)(1), 853
JACK C./ SILVER Name of Isaujug Oliker	Itle of lasuing Officer
Mlw	JUL 0 6 1989
Signatură of Issuing Officer	Date and Location
Ball fixed at \$ by_	Name of Judicial Officer
RETUR	2N
This warrant was received and executed with the arrest of	
6161 Pierce St. Westminster	the above manied donorioum or
DATE RECEIVED NAME AND TITLE OF ARHESTING OFFICER  DOLL OF ARREST  DATE OF ARREST	SIGNATURE OF ARRESTING OFFICER

UNITED STATES DISTRICT COURT FOR THE IN OPEN COURT

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR. BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL,

ited States District Court ) ithern District of Oklahoma ) SS Defendants.

hereby certify that the foregoing true copy of the original on file

THE GRAND JURY CHARGES:

this Court. rck C. Silver, Clerk

Deputy

COUNT ONE

[21 U.S.C. \$\$846, 841(a)(1), 853]

#### INTRODUCTION

Beginning in or about September, 1987, and continuing through and including February 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., \$846, as follows:

To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. \$841(a)(1).

JUL 5 1989

Uack C. Silver, Clerk U.S. DISTRICT COURT

No.

INDICTMENT [21 U.S.C. \$\$846, 841(a)(1): Conspiracy to Manufacture; Possess with Intent to Distribute: and to Distribute, Methamphetamine; 21 U.S.C. \$853: Forfeiturel

- (2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. \$841(a)(1).
- (3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. \$841(a)(1).

#### B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

- (1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR.,

  DAVID ROYSE LADD, and others both known and unknown to the grand
  jury, would and did knowingly purchase precursor chemicals in the
  Northern District of Oklahoma, and elsewhere, with the intent to
  manufacture mehtamphetamine.
  - (2) LOREN EUGENE HALL, JR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.
  - (3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR.,
    DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and
    unknown to the grand jury would and did knowingly manufacture
    methamphetamine.
  - (4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.

#### C. OVERT ACTS

To effect the objects of the conspiracy, the defendants named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

- (1) In or about September or October, 1987, LORAN EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.
  - (2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.
  - (3) In or about September or October, 1987, BARBARA ANN MARTENEY, in Texas, sold methamphetamine, and delivered money therefrom to LORAN EUGENE HALL, SR.
  - (4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.
  - (5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.
  - (6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.
  - (7) On or about October 28, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

- (8) On or about October 31, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., purchased chemicals and glassware in Tulsa, Oklahoma.
- (9) On or about November 15, 1988, LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator purchased chemicals in Tulsa, Oklahoma.
- (10) On or about November 28, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., Tulsa, Oklahoma, to advise that he would be coming or calling to place an order for 110 pounds of Ephedrine.
  - (11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock.
  - (12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas.
  - (13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit.
  - (14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
  - (15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR.
  - (16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas.

- (17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetmaine.
- (18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
- (19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals.
- (20) On or about Pebruary 15, 1989, LOREN BUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas.
- (21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory.
- (22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas.
- (23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie.
- (24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICAHRD LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas.

(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

#### D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United States by the Court of the above defendant's following described property upon their individual and respective convictions herein, pursuant to Title 21, United States Code, \$853:

- (1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.
- (2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM United States Attorney

By

S/Jack Morgan
Assist, U.S. Attorney

S/HARRY STEPHENS

Assistant United States Attorney

Foreperson

JSM:ddb

# UNITED STATES DISTRICT COURT OFFICE OF THE CLERK DISTRICT OF COLORADO

James R Manspeaker, Clerk

October 4, 1989

Room C-145 UNITED STATES COURT 1929 Stout Street Denver, Colorado 80294-3589 Phone (303)844-2115

Jack C. Silver, Clerk 411 U.S. Courthouse 333 W. 4th Street Tulsa, Oklahoma 74103

RE: U.S.A. vs. Kent Patrick Thimmesch
Your No. 89-832M
OUR NO. 89-CR 83E

Dear Clerk:

We are enclosing the following documents which are being forwarded pursuant to Rule 40(c) of the Federal Rules of Criminal Procedure:

	Copy - Docket Sheet Warrant of Arrest and Return
( )	Appearance Bond in the amount of \$ Check for \$
( )	Order Setting Conditions of Release
	Commitment to Another District Waiver of Removal/Identity Hearing
( )	Passport of Financial Affidavit
(X)	Court Minutes
( )	Other

Please acknowledge receipt of the enclosed documents on the enclosed copy of this letter.

Very Truly Yours,

JAMES R. MANSPEAKER, Clerk

Deputy Clerk

cc: U.S. Attorney, Denver, Colorado Pretrial Services Agency, Denver, Colorado U.S. Attorney, Oklahoma

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

	Minute Sheet	- General ·
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		*
Plaintii:(	s),	Case No. 89. CR-83-E
vs.		Date
Kent Patrick Ik	ummesch	
		PROCEEDING PT-
		•
. Derendant;	5).	
JUDGE ELLISON Depu	ty R. Miller	Reporter Simpson
	ty McCullough_	
	ty Overton	Reporter Caslavka
Depu	τλ	Reporter
COUNSEL FOR: Plain	tiff J. M	organ.
Dafan	· K	
	dant <u>J. J.</u>	Glenn
(Anutes:	<i>i</i> .	
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astres was wo	Keng en	ussible resolution of matter
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· Suct la	any on el	89. De stay in Contact
and commence	m 10/23/	89. De stay en Contact
· lest ClR & also Do	adure is	they resolve matter
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## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

CEP 12 1989 CK

	27
UNITED STATES OF AMERICA,	Jack C. Film, Chark
Plaintiff,	U.S. DICKLET CONNE
VS.	) No. 89CR 83E \( \square\$
KENT PATRICK THEMISCH a/k/a PAUL RICHARD LASSLEY,	
Defendant.	)

#### ORDER GRANTING CONTINUANCE

Now on this Aday of September, 1989, this matter having come on before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma, upon Defendant Kent Patrick Themisch, a/k/a Paul Richard Lassley's Motion for Continuance on jury trial date, the Court finds that Defendant's Motion should be sustained.

IT IS THEREFORE ORDERED, ADJUGED AND DECREED by the Court that the jury trial set for September 18, 1989, on Defendant Kent Patrick Themisch, a/k/a Paul Richard Lasley, should be and hereby is continued until the 23 day of Oct., 1989, at 9.30 o'clock, AM..

> UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT

#### CERTIFICATE OF SERVICE

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Order Granting Continuance on this \_\_\_\_ day of September, 1989, to: Jack Morgan, Assistant U.S. Attorney.

Jo Stanley Glenn



## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, ) Plaintiff, )	U.S. Disthiof COURT
vs.	No. 89CR 83E
KENT PATRICK THEMISCH a/k/a ) PAUL RICHARD LASSLEY, )	
Defendant. )	

#### MOTION FOR CONTINUANCE

COMES NOW the Defendant, Kent Patrick Themisch, a/k/a Paul Richard Lassley, by and through his attorney, Jo Stanley Glenn, and requests the court grant a continuance on the jury trial date of September 18, 1989. In support of said motion, the Defendant would allege and state:

- 1. The Defendant originally appeared for arraignment less than thirty (30) days prior to September 18, 1989.
- 2. In accordance with Title 18 U.S.C. Section 3161C(2), the trial of a defendant shall not commence less than thirty (30) days from the date of arraignment.
- 3. The Defendant has yet to complete discovery in order to adequately prepare for trial.

WHEREFORE, for the reasons stated above, the Defendant would request the Court to continue the jury trial until the October jury docket.

WHEREFORE, the Defendant would further request that the dates now set for requested jury instructions and requested voir

6

dire be continued in accordance with the continuation of the jury trial setting.

Respectfully submitted,

Jo Stanley Glenn, ORA#3411 Attorney for Defendant Kent Patrick Themisch a/k/a Paul Richard Lassley 1154 E. 61st Tulsa, OK 74136 (918) 749-5531

#### CERTIFICATE OF SERVICE

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Motion for Continuance on this Aday of September, 1989, to: Jack Morgan, Assistant U.S. Attorney.

Jo Stanley Glenn

# United States District Court

	NORTHERN	DISTRICT OFOKLAHOMA
U.S.A.		
	V	NOTICE
LOREN EUGEN MICHAEL STE		CASE NUMBER: 89-CR-83-03 & 06-E
TYPE OF CASE:	□ CIVIL	⊠ CRIMINAL
TAKE NOTICE	That a proceeding in this case	has been set for the place date, and time set forth below:
U. S. COUR TULSA OK	RTHOUSE	ROOM NO. COURTROOM #2
		DATE AND TIME
TYPE OF PROCEEDING		NOVEMBER 21 , 1989, 9:00 A.M.
SENTE	ENCE	- 8 ·
TAKE NOTICE t	hat the proceeding in this cas	e has been continued as indicated below:
PLACE	DATE AND TIME PREVI	OUSLY CONTINUED TO, DATE AND TIME
0.10.00	-	JACK C. SILVER, CLERK  U.S. MAGISTRATE OR CLERK OF COURT
9-12-89		
DATE		Beverly McCullough

To: Defendants
Jim Heslet
David Booth
John Morgan

IN

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

	Minute Sheet	- General	•	•
-118a)	· .			
	·		-	_
		•	* *	
•		•		•
Plaintiff	(5),	Case No	89-CR-83-02	E
vs.		Date	9/11/89	
Lent Patrick I	himmesch		7//0/	
	5.	PROCEEDING_	PT, met & ar (	19
	**		/	
Desendant	(s).			
JUDGE ELLISON Depr	aty R. Miller aty McCullough aty Overton	Repo	orter Simpson orter Dorrougn orter Caslavka	
COUNSEL FOR: Plais	ntiff Q 12	ergan V		
Dofo	ndant On B		0	
··) · · · · · · ·	AT 1		JT passed ?	<u>*</u>
Carl D.F.	10 17 00 0	. 2	0	
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#### MINUTE SHEET - CRIMINAL

DATE9/4/89	USA vs. Mich	CR. CASE NO. 89 9-83-00	1) 37
	ARRAIGNMENT &/OR (	CHANGE OF PLEA	
JUDGE COOK  JUDGE ELLISON  JUDGE BRETT  MAG. WAGNER  MAG. WOLFE	Deputy R. Miller Deputy McCullough Deputy Overton Deputy J.Miller  Deputy Mayes	Reporter Dorrough	
Counsel for Governme	t D. Booth 1	Court Appointed; FPD	
Defendant appears in	person with counsel	; without counsel; counsel	waived
	es receipt of Indictr		
Waives Indictment; j	ury trial; 30 days pr	reparation; separate repres	entation
Waivers approved by	Court		
Defendant advised of	charge and arraigned	đ	
<pre>Indictment, Supersed     Filed; read; re</pre>	ing Indictment; Inforation	rmation; Superseding Inform	ation;
Enter plea of	ailty	s to Counts/	
Defendant withdraws	plea(s) of Not Guilty	s to Counts/ y to Counts	
		to be dismissed at sentence	
Petition to enter nl	ea of quilty sworn to	o and executed; Defendant r lea Agreement) approved and Counts/	olator
	greement; Made/Reserv		
Objections to PSI to	be filed by		
Rule 32 hearing set			
SENTENCE SET Nov.	21,1989,9:00 A.M.	PSI ordered	
Defendant allowed to	stand on present box	nd; Defendant remanded to U	SM
	- Aller and a second a second and a second a	nd all pre-trial motions	/
Govern	ment to respond		
Certif	ication of Discovery	Disputes	10/
Pre-tr	ial conference & hear	ring on motions at	
		ted voir dire, inst. & tria	l briefs
		at	

CR-2:6/89

IN THE UNITED STATES DISTRICT COURT FOR THE SEP 1 : 1989 NORTHERN DISTRICT OF OKLAHOMA Jack C. Silver, Clerk U. S. DISTRICT COURT UNITED STATES OF AMERICA, Plaintiff, Criminal Case No. 89-CR-83-06-E Michael Steven Sall Defendant.

### WAIVER OF JURY

I, the undersigned defendant, having been fully apprised of my rights, do hereby waive a jury and agree to try the aboveentitled case to the Court as provided by Rule 23(a), Rules of Criminal Procedure.

**GOVERNMENT:** 

Signed and approved in open Court this \_\_\_\_\_ // the day of lept, 1989.

IN THE UNITED STATES DISTRICT COURT FOR THE CK C. Silver, Clerk NORTHERN DISTRICT OF OKLAHOMA S. DISTRICT COURT
UNITED STATES OF AMERICA, ) No. 89-CR-083-06-
Plaintiff, PETITION TO ENTER PLEA OF GUILTY
vs. AND ORDER ENTERING PLEA
MICHAEL STEVEN HALL, (Federal Rules of
) Criminal Procedure, Defendant. ) Rules 10 and 11)
The defendant represents to the Court:
(1) My full true name is: Michael Steven Hall I am 37 years of age. I have gone to school up to and including 11th grade I request that all proceedings against me be in my true name.
(2) I am represented by a lawyer; his/her name is:
(3) I received a copy of the Indictment* before being called upon to plead. I read the Indictment and have discussed it with my lawyer. I fully understand every charge made against me.
(4) I told my lawyer all the facts and circumstances known to me about the charges made against me in the Indictment. I believe that my lawyer is fully informed on all such matters.
(5) I know that the Court must be satisfied that there is a factual basis for a plea of "GUILTY" before my plea can be accepted. I represent to the Court that I did the following acts in connection with the charge(s) made against me in Count(s) See attached 1-A_
(In the above space defendant must set out in detail what (s)he did. If more space is needed, add a separate page.)

 $\underline{\text{NOTE}}\colon$  If the space provided is not sufficient for a complete response, you should add an attachment and indicate an answer is made in attachment.

<sup>\*&</sup>quot;Indictment" also includes "Information."

#### Attached 1-A

The indictment describes a conspiracy to manufacture and distribute methamphetamine. My father, Oran Eugene Hall, Sr., is the first named defendant in the indictment. I had been living away from home for a number of years and recently returned home for personal reasons. When I returned home I renewed my relationship with my father and learned of his involvement in the conspiracy. Thereafter, I assisted my father in this conspiracy by assisting in the transportation of some laboratory equipment.

- (6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.
- (7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.
- (8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".
- (9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.
- (10) I know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.
- (11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment, which, as provided by law is 20 years imprisonment and/or a fine of \$\frac{1,000,000}{1,000,000}\$. My lawyer has further advised me that if the offense(s) to which I plead "GUILTY" occurred on or after January 1, 1985, the maximum fine is the largest of:
  - (a) The amount specified in law defining the offense
  - (b) Double the gross pecuniary gain derived by a defendant from the offense
  - (c) Double the pecuniary loss caused by the offense to another person

(d) Any Felony; Misdemeanor \$ 250 resulting in Death
Other Misdemeanor punishable by more than six months

Individual Def. Other Def. \$250,000 \$500,000

My lawyer has also advised me that a Special Monetary Assessment in the amount of \$\frac{50.00}{0000}\$ will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least <u>three</u> years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seq. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

- (12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.
- (13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:

(Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) of this petition.)
If anyone else, including my attorney, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.
I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".
(14) My plea of "GUILTY" is the result of a plea agreement entered into between the government attorney, my attorney, and me.
Since my plea of "GUILTY" is the result of a plea agreement, I hereby state that the terms of said agreement are as follows: <u>See attached 4-A</u>
I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".
(15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.
(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:**  Guilty to the one count indictment.
** "The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s)", "NOT GUILTY as charged in Count(s)", "NOT GUILTY as

### Attached 4-A

I will plead guilty to the one count indictment and assist the government in the prosecution of this case. If my assistance is "substantial" as defined by the Sentencing Guidelines, the government will move for a downward departure in my sentence. See the attached copy of the August 21, 1989, "plea letter" which sets out the plea agreement in detail.

(16) "GUILTY as charged in the Indictment". If more than or offense is charged, the defendant may write in paragraph (16 "GUILTY as charged in Count(s)", "NOT GUILTY as charged in Count(s)".	= 1
(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The onl drugs, medicine or pills that I took within the past seven (7 days are:  None	

### (If none, so state.)

(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)

<u>No</u>	exceptions.	

- (20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.
- (21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.

Signed and Sworn to by me in open Court, in the presence of my attorney, this <a href="Lith">— lith</a> day of <a href="September">September</a>, 1989.

Michael Hall Defendant

Subscribed and Sworn to before me this <u>llth</u> day of <u>September</u>, 1989.

B M'allaugh Deputy Clerk

<sup>(19)</sup> I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.

#### CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant Michael Stephen Hall, hereby certifies:

- (1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.
- (2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553 et seq., and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

- (3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.
- (4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.
- (5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".
- (6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

  None \_\_\_\_

<sup>(7)</sup> I further represent to the Court that the defendant's plea of "GUILTY" is the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him the opportunity to withdraw his plea of "GUILTY".

Signed by me in open Court in the presence of the defendant above named and after full discussion of the contents of this certificate with the defendant, this <u>llth</u> day of <u>September</u>, 1989.

David Booth

Attorney for the Defendant

#### ORDER

I find that the plea of "GUILTY" was made by the defendant freely, voluntarily, and because he is "GUILTY" as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime(s) charged and that there is a factual basis for the plea(s) of "GUILTY" and the defendant is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea(s) of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of his/her lawyer.

Done in open Court this <u>llth</u> day of <u>September</u>, 1989.

UNITED STATES DISTRICT JUDGE

### MINUTE SHEET - CRIMINAL

₩ n •	CD CASE NO. 89:00- 43-63-
DATE G/1/	CR. CASE NO. 89 CR-83-03 E  89 USA VS. Leven Engene Gall gr (AGE) 34
——————————————————————————————————————	COA VS. The business Date of (AGE) _2/
	ARRAIGNMENT &/OR CHANGE OF PLEA
JUDGE COOK	Deputy R. Miller Reporter Simpson
JUDGE ELLISON	
JUDGE BRETT MAG. WAGNER	Deputy Overton Reporter Caslavka Deputy J.Miller Reporter
	Recorded
MAG. WOLFE	Deputy Mayes Reporter
	Recorded
Counsel for Go	vernment ( Massa)
Counsel for De	vernment <u>Q. Morgan</u> fondant Q. Zingan
Counsel for be	Retained; Court Appointed; FPD
Defendant appe	ars in person with counsel; without counsel; counsel waived
	owledges receipt of Indictment; Information
	ent; jury trial; 30 days preparation; separate representation
Waivers approv	
V	sed of charge and arraigned
	perseding Indictment; Information; Superseding Information;
	ad: reading waived
Enter plea of	Duilty as to Counts/
Defendant with	draws plea(s) of Not Guilty to Counts/
Counts	to be dismissed at sentence
Petition to en	ter plea of guilty sworn to and executed; Defendant relates
Pla facts of	charge; petition (and Plea Agreement) approved and filed
Defendant adju	charge; petition (and Plea Agreement) approved and filed dged guilty as charged in Counts/
	Plea Agreement; Made/Reserved
Objections to	PSI to be filed by
Rule 32 hearin	g set
SENTENCE SET _	g set
Defendant allo	wed to stand on present bond; Defendant remanded to USM
	Defendant(s) to file any and all pre-trial motions
	Government to respond
	Certification of Discovery Disputes
	Pre-trial conference & hearing on motions at
	Parties to file any suggested voir dire, inst. & trial briefs
	Jury trial; Non-Jury trial at

CR-2:6/89

IN THE UNITED STATES DISTRICT COURT FOR TH <b>EN OPEN COURT</b> NORTHERN DISTRICT OF OKLAHOMA  SEP 1 1989
Jack C. Silver, Clerk U. S. DISTRICT COURT  Plaintiff,  Vs.  Loven Engane Lall, Jr  Defendant.
WAIVER OF JURY
I, the undersigned defendant, having been fully apprised of
my rights, do hereby waive a jury and agree to try the above-
entitled case to the Court as provided by Rule 23(a), Rules of
CONSENT OF GOVERNMENT:  Defendant  United States Attorney  Attorney for Defendant
Signed and approved in open Court this

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IN THE	UNITED ST	TATES DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA	
	MORTHERW	DISTRICT OF OKLAHOMA	
UNITED STATES OF AMERICA, Plaintiff,	)	No. 89-CR-83-E	Pitter
vs.		PETITION TO ENTER PLEA OF GUILTY and ORDER ENTERING PLEA	IN OPEN
Loren Eugene Hall, Jr. Defendant.	<u></u> '}	(Federal Rules of Criminal Procedure, Rules 10 and 11)	Jack C. Silver
. The defendant represents t			U. S. DISTRICT
		Loren Eugene Hall, Jr. to and including 1½ Yrs. College to be in my true name.	. I am 34 ge-Hutchinson Jr. College
(2) I am represented by a	lawyer; l	nis name is:	
(3) I received a copy of	the India	ctment* before being called upon to my lawyer. I fully understand of	to plead. I readevery charge made
(4) I told my lawyer all made against me in the Indictme matters.	the facts	and circumstances known to me a lieve that my lawyer is fully info	bout the charges
Collowing acts in connection wi	th the cha	satisfied that there is a factual pted. I represent to the Court arges made against me in Counts	that I did the
In the Northern Distric	t of Okl	ahoma I transported precurso	r chemicals
and laboratory equipmen	t to man	ufacture mathamata !	purchased
precursor chemicals in	Tulsa, O	klahoma to be used in the ma	nufacturo
of methamphetamine.		Zir erre ma	naracture
72			
(In the above space defendant needed, add a separate page.)	must set	out in detail what he did. I	f more space is
	arr mast	dvised me on the nature of each ble defenses that I might have in	this case
(7) I know that I have against me. If I plead "NOT GUI	the right	to plead "We current to	offense charged

- (7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY" I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.
- (8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a

<sup>&</sup>quot;Indictment" also includes "Information".

NOTE: IF THE SPACE PROVIDED IS NOT SUFFICIENT FOR A COMPLETE RESPONSE, YOU SHOULD ADD AN ATTACHMENT AND INDICATE ANSWER IS MADE IN ATTACHMENT.

jury, I have the right of the assistance of counsel, that is, an attorney; also the right confront and cross-examine witnesses against me; and the right not to be compelled to members would have to agree that I am guilty.

- (9) I know that if I plead "GUILTY", I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.
- (10) I know that if I plead "GUILTY", the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.
- (11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment which, as provided by law is 20 years imprisonment or a fine of \$1,000,000.00 (or both) for the offense(s) charged in Count(s) I of the Indictment.

If at this time I am at least 18 and not more than 26 years of age, I know that the Court may sentence me under the provisions of the Youth Corrections Act or as a Young Adult Offender for an indeterminate sentence (18 U.S.C. sec. 5010(b), which may require me to spend as long as six (6) years in a penal institution, even though the maximum term of confinement set by statute (see (11) above) may be less than six (6) years.

- (12) If I am on probation or parole in this or any other court, I know that by pleading guilty here, my probation or parole may be revoked and I may be required to serve time in that case, which will be consecutive, that is, in addition to any sentence imposed on me in this case.
- (13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of leniency if I plead "GUILTY", except as follows: (Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) on this page.

If anyone else, including my attorney, made such a promise, suggestion, or predication, except as noted in the previous sentence, I know that he had no authority to do so.

I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of guilty.

(14) My plea of guilty (15) (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.

Since my plea of guilty is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:

fully understand that the Court is not bound by the terms of the plea agreement, and may cept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of guilty.

<sup>(15)</sup> I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.

(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he innocent and, with that in mind, and because I am "GUILTY" and do not believe I am "nocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:**
Guilty as to Count I
(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are: Soma Compound, muscle relaxation for lower back.  (If none, so state.)
(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.) None
(19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of guilty is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.
(20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.
(21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.
Signed and Sworn to by me in open Court, in the presence of my attorney, this 11th day of September , 1989.  Defendant
Subscribed and Sworn to before me this 11th day of September , 1989.
B Mallough Deputy Clerk
CERTIFICATE OF COUNSEL
The undersigned, as lawyer and counselor for the defendantLoren Eugene Hall,, hereby certifies:
(1) I have read and fully explained to the defendant the allegations contained in
** The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in Count(s)  ** The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the Indicate that the

the Indictment in this case.

- (2) To the best of my knowledge and belief, the statements, representations and beclarations made by the defendant in the foregoing petition are in all respects accurate and true.
- (3) I explained the maximum penalty for each count to the defendant, and since the defendant is 34 years of age, I have informed him that he may be sentenced under the provisions of the Youth Corrections Act or as a Young Adult Offender, and that if he is given an indeterminate sentence under the provisions of 18 U.S.C. sec. 5010(b) he may be required to spend as much as six (6) years in a penal institution, even though the maximum term of imprisonment set by statute may be less than six (6) years.
- (4) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts he related to me and is consistent with my advice to the defendant.
- (5) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.
- (6) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".

the	(7) Court	I ha	ave made award,	e no pr except	edio as	ctions noted	or in	prom the	mises space	to be	the low:	defendant None	concerning	any	sentence
			1									-			

(8) I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (13) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him the opportunity to withdraw his plea of "GUILTY".

ORDER

I find that the plea of guilty was made by the defendant freely, voluntarily, and because he is guilty as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime charged and is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea of "GUILTY" be accepted and entered as prayed for in the Petition and as recommended in the certificate of his lawyer.

Done in open Court this 11th day of September , 1989

Januel Clien UNITED STATES DISTRICT JUDGE

Attorney for the Defendant

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

\$5)	
USA	
Plaintiff(s),	Case No. 89-CR: 83-03-E
vs.	Date 8-28-89
Porun Eugene Hall, Jr.  Defendant (s).	PROCEEDING MIH/BOND Keduction
JUDGE COOK Deputy R. Miller  JUDGE ELLISON Deputy McCullough  JUDGE BRETT Deputy Overton  Deputy Overton  Deputy McCullough  Deputy Overton  Deputy McCullough	
Defendant Defendant	n Ileslet
A appears w/counsel for	n Arg on Moxfreduction
Ct reduces bond so:	# 20,000 unslewed # 5,000 Cash/swrite
Premanala to custody: plu	ding satis of boad.
Boulsman appetars 40	x elutes bond & released
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	<u> </u>
•.	
LIST WITNESSES ON BACK:	

# United States District Court

NORT	HERN DI	STRICT C	F OKLA	HOMA
U.S.A.				
V.				NOTICE
KENT PATRICK THIMMES PAUL LASSLEY	SCH, a/k/a	CASE	NUMBER:	89-CR-83-02-E
TYPE OF CASE:				
TIPE OF GASE.	□ CIVIL	፟ 🖾 🕻	RIMINAL	
X TAKE NOTICE That a pro	ceeding in this case has b	een set for t	he place date,	and time set forth below:
PLACE		RO	OM NO.	
U S COURTHOUSE TULSA OKLAHOMA			OURTROOM	#2
TODON OKLAHOTA		DA	TE AND TIME	10 1000 0 20 1 1
TYPE OF PROCEEDING			SEF LEMBER	18, 1989, 9:30 A.M.
JURY TRIAL  TAKE NOTICE that the pr	oceeding in this case has	been contin	ued as indicate	ed below:
PLACE	DATE AND TIME PREVIOUSLY SCHEDULED		NTINUED TO, DAT D TIME	E
	1		CK C. SIL	VER, CLERK
8-21-89		227	1 at 10 at 10	
DATE		<u>Be</u> (BY) DE	verly McC: PUTY CLERK	ullough
To: Jo Stanley Glenn Jack Morgan				

NOTE: DEFENDANT MOTIONS DUE: 8-30-89

GOVERNMENT RESPONSES DUE: 9-7-89

CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 9-7-89 PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 9-11-89, 2:30 P.M.

REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 9-11-89

VY

### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FIRED

UNITED STATES OF AMERICA,	) AUG 24 1989
Plaintiff,	) Jack C. Silver, Clerk ) U.S. DISTRICT COURT
VS.	) No. 89-CR-83-E
LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY,	)  INDICTMENT  [21 U.S.C. Sections 846, 841(a)(1):  Conspiracy to Manufacture;  Possess with Intent to
DAVID ROYSE LADD, and MICHAEL STEVEN HALL,	<ul><li>Distribute; and to Distribute</li><li>Methamphetamine;</li></ul>
Defendants.	) 21 U.S.C. Section 853: Forfeiture]

#### ORDER

Upon consideration of the Defendant's unopposed Motion For Bond Reduction, the Court finds that the same should be set for hearing on the 2 day of August, 1989 at 3:00 o'clock p.m.

IT IS SO ORDERED this 24th day of August, 1989.

MAGISTRATE

UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

AUG 22 1815

FILED

UNITED	STATES	OF	AMERICA,	)	Jack U.S. 1
				)	

C. Silver, Clerk DISTRICT COURT

Plaintiff,

vs.

LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD, and MICHAEL STEVEN HALL,

89-CR-83-E No.

INDICTMENT [21 U.S.C. Sections 846, 841(a)(1): Conspiracy to Manufacture: Possess with Intent to Distribute; and to Distribute Methamphetamine; 21 U.S.C. Section 853: Forfeiture]

Defendants.

### MOTION FOR BOND REDUCTION

COMES NOW the Defendant, Loren Eugene Hall, Jr., and requests this Court to set this matter for a bond reduction hearing. As grounds for said hearing the Defendant would state:

- The United States District Attorneys Office does not oppose this motion for bond reduction.
- That the bond is presently set in the amount of Twenty-Five Thousand Dollars (\$25,000.00) cash or surety and that additional information has been obtained concerning the background of the Defendant to aid the Court in lowering the bond.

JIM/H. HESLET, OBA# 4154 5561 South Lewis, Suite 200 Tulsa, Oklahoma 74105

(918) 747-1058

### CERTIFICATE OF DELIVERY

I hereby certify that on this L day of August, 1989, I delivered a true and correct copy of the above and foregoing Motion For Bond Reduction to: The United States District Attorneys Office, United States Courthouse, 333 West Fourth Street, Tulsa, Oklahoma .

### ited States **Bistrict** Court OKLAHOMA DISTRICT OF

UNITED STATES OF AMERICA

### ORDER OF DETENTION PEND

KENT P. THIMMISCH

Defendant

Case Number:

89-CR-83-02-E

Judicial Officer

are	In acc establis	ordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following fact hed by clear and convincing evidence and require the detention of the defendant pending trial in this case.
	(1)	Part I — Findings of Fact  The defendant has been convicted of a (federal offense) (state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed) that is  a crime of violence as defined in 18 U.S.C. §3156(a)(4).  an offense for which the maximum sentence is life imprisonment or death. an offense for which a maximum term of imprisonment of ten years or more is prescribed in
		a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in
	(2)	18 U.S.C. §3142(f)(1)(A)-(C), or comparable state or local offenses.  The offense described in finding 1 was committed while the defendant was on release pending trial for a federal, state or
$\Box$		local offense.
	(3)	A period of not more than five years has elapsed since the (date of conviction) (release of the defendant from imprisonment for the offense described in finding 1.
Ш	(4)	Findings Nos. 1 and (2) (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an)other person(s) and the community. I further find that the defendant has not rebutted this presumption.
XX	(1)	Alternative Findings  There is probable cause to believe that the defendant has committed an offense
	(1)	for which a maximum term of imprisonment of ten years or more is prescribed in 21 USC § 801 et seq. 2 under 18 U.S.C. § 924(c).
<u>XX</u>	(2)	The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.
<del>(23)</del>		Alternative Findings
ХХ	(1)	Defendant has waived detention hearing
	(2)	
	(3)	There is a serious risk that the defendant will flee.
	(4)	There is a serious risk that the defendant will (obstruct or attempt to obstruct justice) (threaten, injure, or intimidate a prospective witness or juror).
1 \	I find the	Part II - Written Statement of Reasons for Detention hat the credible testimony and information. submitted at the hearing establishes by clear and convincing evidence that
ser	ving	pretrial services report reveals that the defendant is presently a parole term for felony convictions involving violence.
	The de	Part III - Directions Regarding Detention  fendant is committed to the custod of the Attorney General or his designated representative for confinement in a corrections
facil	ity sep	arate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The de-

fendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections fact ity shall deliver the defendant to the United States

marshal for the purpose of an appearance in connection with a court proceeding.

8-21-89

Dated:

<sup>&</sup>lt;sup>1</sup>Insert as applicable: (a) Controlled Substances Act (21 U.S.C. §801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. §951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. §955a).

<sup>&</sup>lt;sup>2</sup>Insert as applicable: (a) Controlled Substances Act (21 U.S.C. §801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. §951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. §955a).

<sup>3&</sup>quot;The rules concerning admissibility of evidence in criminal trials do not apply to the presentation and consideration of information at the [detention] hearing." 18 U.S.C. §3142(f). See 18 U.S.C. §3142(g) for the factors to be taken into account.

### MINUTE SHEET - CRIMINAL

	Date 8-31-89 USA v. Kent Gatrick Mimmisch (Age)
	Date 881-89 USA v. Plent Gatrick Mimmisch (Age)
	ARRAIGNMENT &/OR CHANGE OF PLEA
	JUDGE COOK       Deputy R. Miller       Reporter Simpson         JUDGE ELLISON       Deputy McCullough       Reporter Dorrough         JUDGE BRETT       Deputy Overton       Reporter Caslavka         MAG. WAGNER       Deputy Miller       Reporter         MAG. WOLFE       Deputy Mayes       Recorded
	Counsel for Government Counsel for Defendant  Retained; Court Appointed; Federal Public Defender
/	Defendant appears in person with counsel; without counsel; counsel waived
J	Defendant acknowledges receipt of Indictment; Information
	Waives Indictment; jury trial; 30 days preparation; separate representation
/	Defendant advised of charge and arraigned
V	Indictment, Superseding Indictment; Information; Superseding Information; Filed; read; reading waived
	Enter plea ofNhas to Countsall
	Defendant withdraws plea(s) of Not Guilty to Counts
	Counts to be dismissed at sentence
	Petition to enter plea of guilty sworn to and executed; Defendant relate facts of charge; petition approved and filed
	Defendant adjudged guilty as charged in Counts
	SENTENCE SET, PSI ordered
	Defendant allowed to stand on present bond; Defendant remanded to USM
	Defendant(s) to file any and all pre-trial motions.  Government to respond.  Discovery disputes.  Pre-trial conference & hearing on motions at  Parties to file any suggested voir dire, inst. & trial briefs  Jury trial; Non-Jury trial at
	Dord defanied pending trial. Arr Ald. Sched dates to fee mailed. De remanded to custody of usm.

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

### Minute Sheet - General

USA	8
Plaintiff(s),	Case No. 89-02-63-06-E
	Sate $8-17-89$
Defendant(s).  JUDGE COOK Deputy R. Miller  JUDGE ELLISON Deputy McCullough  JUDGE BRETT Deputy Overton  JUDGE Wayna Deputy Multu	ROCEEDING Appl to Modify  Reporter Simpson Reporter Dorrough Reporter Caslavka Reporter
COUNSEL FOR: Plaintiff	11/Organ
A requests a reduction in Cf grants requests & sets @ Amended books & amended con	aring on appl to modify  bond.  \$25,000 unsecured bond.  and of hel executed.
D released.	
	V-
LIST WITNESSES ON BACK:	

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICTOF OKLAHOMA

AGA C. SILVER, CLERK
U.S. DISTRICT COURT

UNITED STATES OF AMERIC Plaintif		/
vs.	) ) No. 89	-CR-83-06-E
MICHAEL STEVEN HALL, et Defendan		

### BRIEF IN SUPPORT OF MOTION FOR CHANGE IN CONDITIONS OF RELEASE

The defendant, Michael Steven Hall, by and through counsel, has moved for an order changing his conditions of release. Pursuant Local Rule 15(A), this brief is being submitted in support of that motion.

- 1) Defendant has previously been determined by this court to be indigent and entitled to the appointment of counsel under the Criminal Justice Act, 18 U.S.C. §3006A;
- 2) Conditions of release have previously been set by this court. One of the conditions requires that defendant post a \$5,000.00 corporate surety bond;
- 3) Defendant is financially unable to post the previously referenced corporate surety bond and remains in the custody of the United States Marshal Service at the Tulsa County Jail;
- 4) Defendant submits that contrary to 18 U.S.C. §3142 (c)(2), the judicial officer has imposed a financial condition that has resulted in the pretrial detention of defendant; and,
- 5) Defendant submits that pursuant 18 U.S.C. §3142(c)(1) non-financial conditions can be imposed that will reasonably

assure the appearance of defendant as required. Danger to the safety of any other person or the community is not at issue.

Based on the preceding, the Defendant respectfully requests that a hearing be scheduled for the reconsideration of Defendant's conditions of release.

Respectfully submitted,

David Booth

Federal Public Defender

222 South Houston

Suite "C"

Tulsa, Oklahoma 74127

(918) 581-7656

FTS 745-7656

Counsel for Defendant

Michael Steven Hall

### CERTIFICATE OF SERVICE

I hereby certify that on this the 17th day of August, 1989, I caused a true and correct copy of this Brief in Support of Motion for Change of Conditions of Release to be hand delivered to the office of Mr. Jack Morgan, United States Attorney, counsel for Plaintiff.

David Booth

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

JACK C. SILVER, CLERK
U.S. DISTRICT COURT

UNITED STATES OF AMERICA, Plaintiff,

vs.

No. 89-CR-83-06-E

MICHAEL STEVEN HALL, et al., Defendants.

### MOTION FOR CHANGE OF CONDITIONS OF RELEASE

The defendant Michael Steven Hall, by and through counsel, moves the court for an order changing his conditions of release. Defendant has been unable to meet the conditions previously set and remains in custody at the Tulsa County Jail.

A brief in support of this motion is being filed simultaneously with the motion. A proposed order setting this matter for hearing is being included for the court's convenience.

Respectfully submitted,

David Booth

Federal Public Defender

222 South Houston

Suite "C"

Tulsa, Oklahoma 74127

(918) 581-7656

FTS 745-7656

Counsel for Defendant

Michael Steven Hall

### CERTIFICATE OF SERVICE

I hereby certify that on this the day of August, 1989, I caused a true and correct copy of this Motion for Change of Conditions of Release to be hand delivered to the office of Mr. Jack Morgan, Assistant United States Attorney, counsel for Plaintiff.

David Booth

## United States District Court

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NORTHERN	DISTRIC	T OF	OK	LAHOM	IA	AUG 1 6 19
						Jack C. Silver, U.S. DISTRICT CO
UNITED STATES OF AM	MERICA					
V.		ORDE	R OF TE	MPOI	RARYI	ETENTION
		PEN	DING H	EARIN	G PUR	SUANT TO
			ВАП	REFO	ORM A	CT
KENT P. THIMMESCH						
		Case Nu	ımber:	89-C	R-83-	02-E
Upon motion of theUNIT	TED STATES OF A	AMERICA			, it is (	ORDERED that a
detention hearing is set for	-21-89	* at	9	:30	Am	
etention hearing is set for	Date	_ · at			Time	
70,1117						
peforeJOHN LEC	WAGNER, U.S.	MAGISTR of Judicial (				***************************************
			- 00			
Room 4-5	332, U.S. Court		Tulsa,	OK	74103	
	Location of Judi	cial Officer				
Pending this hearing, the defendant s	hall be held in custod	y by (the Un	ited State	s marsh	al)(	
				) and	produce	d for the hearing.
w 3 3	Other Custodial Off	icial			produce	d for the hearing.
			7//	1/		
Date:8-16-89		/_ /	Wer/V	1/20		
		/ /	11/1	Ainia I	) <i>ff</i>	

<sup>\*</sup>If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	AUG 16 1989 Q
Plaintiff,	Jack C. Silver, Clerk U.S. DISTRICT COURT
VS.	
KENT PATRICK THIMMESCH a/k/a Paul Richard Lassley	No.89-CR-83-E
Defendant.	) MOTION FOR DETENTION HEARING

Pursuant to 18, U.S.C. § 3142(f), the United States of America hereby requests that the court hold a hearing to determine whether any condition, or combination of conditions, as set forth in 18 U.S.C. § 3142(c), will reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

The detention hearing requested herein is sought based upon the following:

	The offense charged is a crime of violence;
	The offense charged carries a maximum sentence of life imprisonment or death;
X	The offense charged carries a maximum term of imprisonment of ten years or more pursuant to the Controlled Substances Act (21 U.S.C. § 801 et. seq.), the Controlled Substances Import and Export Act (21 U.S.C. § 951 et. seq), or section 1 of the Act of September 15, 1980 (21 U.S.C. § 955(a);
	The offense charged is a felony which was committed after the defendant had been convicted of two or more prior offenses described in 18 U.S.C. § 3142(f)(1)(A) through (D), or two or more state or local offenses that would have been offenses if a circumstance giving rise to federal jurisdiction had existed.

will flee;

The existence of a serious risk that the defendant

The existence of a serious risk that the defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness or juror.

Respectfully submitted,

TONY M. GRAHAM United States Attorney

Assistant United States Attorney

3600 U.S. Courthouse Tulsa, Oklahoma 74103 (918) 581-7463

INFORMATION SHE	EET
-----------------	-----

	INFORMAT	TON SHEET	a a	
3/16	, 1989, B	efore Magistrate:	Wagner M	Wolfe ( )
Case No. 89-CR-	83-02-E/			
UNITED STATES OF AMER	ICA v. Kent	P. Thuma	real	
Defendant's Age	7 Sex M Dat	e of Birth 12	124/45 I	LED
Defendant's Address	UNK.		AL	IG 16 1988
			. Jack J	C. Silver, Clark
		(Phone #	) U.S. D	DISTRICT COURT
Date of Arrest on/o	bout stuber	Arrested by	sy D	evve
Bail Fixed \$	TENTILL	(Cash or Surety)	(10% Dep)	(Unsecured)
Bail Made \$	•	(Cash or Surety)	(10% Dep)	(Unsecured)
Bail Not Made				
Special Conditions:	<ul><li>( ) Travel restric</li><li>( ) Refrain from p</li><li>( ) Successful par</li></ul>	ted to ND/OK and ossession of fire	arm, etc. g screening	
Preliminary Exam: Dat	e Scheduled	·		at
Arraignment: Date Sch	eduled			at
Defendant Requests Pu Defendant's Attorney:	Jo Stanley 1154 E. 61 Tulsa OK 74	Glern G+ St. H105 (Phone #) 7	- 49-553/	
Attorney for USA:	Tool to	eorgan Jim Si	varty fo	r Joek
Remarks:	VEST NEMWO	Schebuch	por 4:	00 pm
Minute: A applars	for IA, for arr & det hra	nan offid t pet 8-21-89	uc'd, FP.	o appt an.
() Defendant remande	d to custody of U.	S. Marshal.		

### FINANCIAL AFFIDATIT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

() E. G. ASMACHER TOTAL	IN UNITED	STATES MAGISTRATE   DISTRICT   APPEALS COURT or   OTHER PANEL (Specify below)
IN TH	E CASE OF	FOR LOCATION NUMBER
		vs
Ŧ		AT
_	PERSON RE	PRESENTED (Show your full name)  DOCKET NUMBERS
1		1 Derendant—Adult Magistrate
	Ken	2 Defendant—Juvenile 3 Appellant  ADistrict Court
		4 ☐ Probation Violator
	CHARGE/OFF	ENSE (describe if applicable & check box → ) ☐ Felony ☐ Misdemeanor
	21	1 - 2255 Petitioner  8 - Material Witness  NSP. TO DIST. METAMORITHME 9 - Other (Specify)
	C 64	ASD. TO DIST. METAMPACTIME 9 - Other (Specify)
		AMENITRE TO AMERICANS DECARROING ADMITY TO DAY
	<del></del>	ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY  Are you now employed?   Yes  No  Am Self Employed
		Name and address of employer:  IF YES, how much do you  IF NO, give month and year of last employment
	EMPLO	earn per month? \$ How much did you earn per month \$
	M-LN.	If married is your Spouse employed?   ▼Yes □ No
		IF YES, how much does your
		Spouse earn per month \$ 850 Parents or Guardian's approximate monthly income \$
		Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in
	OTHER	the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? Yes RECEIVED SOURCES
SSETS -	- INCOM	IF YES, GIVE THE AMOUNT
		RECEIVED & IDENTIFY \$
		THE SOURCES
	CASI	Have you any cash on hand or money in savings or checking account 🗹 es 🗆 No <b>IF YES</b> , state total amount 💲
		Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary
	DDOF	household furnishings and clothing)?   YALUE  DESCRIPTION
	PROF	The way and was the same and th
		DESCRIBE IT
		MARITAL STATUS  Total (List persons you actually support and your relationship to them
		No. of Dependents September 13 70 Step-son
	100	Dependents Dependents
	n	EDENDENTS L MARRIED
	D	EPENDENTS MARRIED
BLIGATIO	ONS	
	ONS _	WIDOWED SEPARATED OR DIVORCED  Creditors  Total Debt Monthly Payt.
	ONS _	WIDOWED SEPARATED OR DIVORCED
	ONS D	EBTS & Creditors Total Debt Monthly Payt.  ONTHLY ILLS  APARTMENT OR HOME:  S S  S
BLIGATION DEBTS	ONS D	EBTS & OR DIVORCED  Creditors  Creditors  Total Debt  Monthly Payt.  ST ALL CREDI- IS, INCLUDING IS,
	ONS D	EBTS & ONTHLY ILLS ST ALL CREDI- IS, INCLUDING ILS, CANARGE OUNTS, ETC.)  WIDOWED SEPARATED OR DIVORCED  Creditors  Creditors  Total Debt Monthly Payt.  Monthly Payt.  S S  S S  S S  S S  S S  S S  S S  S
	ONS D M B (LI TOP) BAN PAN ACC	EBTS & ONTHLY ILLS  ST ALL CREDI- IS, INCLUDING IKS, LOAN COM- ILISS, CHARGE  WIDOWED  SEPARATED OR  DIVORCED  Creditors  Total Debt  Monthly Payt.  S \$  \$  \$  \$  \$  \$  \$  \$  \$  \$  \$  \$  \$

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

	UNITED ST	TATES OF AMERICA,		
		Plaintiff,		
	vs.	)	NO.	89-CR-83-02-E
		·)		
	KENT PAT	TRICK THIMMESCH		
		Defendant(s) )		
*		ORDER APPOINTING	COUNSE	<u>L</u>
On this <u>l6th</u> day of <u>AUGUST</u> , 19 <u>89</u> , the above named having completed an affidavit as to financial ability temploy counsel, and upon review, the Court finds that thaffiant(s) is/are financially unable to obtain counsel. I accordance with the Northern District of Oklahoma Plan for Implementing the Criminal Justice Act of 1984,				
	IT I	S HEREBY ORDERED that the:		
		Federal Public Defender is a following: all further proceedings unle order of the court.		in
	xx	Federal Public Defender shal name(s) of a private at necessary, for appointment t KENT PATRICK THIMMESCH	torney	or attornevs. as
		Defendant will reimburse reasonable cost of provaccordance with his/her abil by further order of the cour	iding itv to	representation in
		Federal Public Defender is trepresent the following:		
		for purposes of initial appe	arance	only.
	Dated	d this 16th day ofAU	GUST	, 19_89
			MA	es ///en
		JOH		WAGNER
		ONT	ILD ST	ATES MAGISTRATE

Am

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA Minute Sheet - General

<u>USA</u>	•
	Time
Plaintiff(s),	Case No. 89-CR-83-03+06-
vs	Date 7-31-89
Loren Eugene Hall, J	1. PROCEEDING Hram Mot
Michael Steven Hall	Reduce Bond
Defendant(s)	-
11100000 (1100000	(441/1) Papartar Jan # 1117
MAGISTRATE VOLUME Deputy Cocy	Mars a con Scot Haston
COUNSEL FOR PLAINTIFF: Jack	Morgan; Scott Horton,
agen	Late Winds 11.11
COUNSEL FOR DEFENDANT: Alund	Hard the Male Nall
net wy counsel. Jun	Meslet - Foren Hall y.
MINUTES: Parties present i	vitnesses + make closes
comments re: reducte	on of bend. Mag. reduces
fond for Michael Hall	to \$5,000 C/3. all other
conditions remain the	e same u/ addtl condition
that he live w/ mo	ther, Joan Rankin, in
Nutchinam VG No	oren Hall's bond reduced
Troce Caroline , E.S. BOIL	
to \$25,000 c/S. all of the same. Is res	ther conditions remain

# RECEIVED united States District Court Aug 04 1989 M

89 JUL 28

DISTRICT OF \_

OKLAHOMA

Jack C. Silver, Clerk U.S. DISTRICT COURT

UNITED STATES OF AMERICA

NORTH AND DISTRICT

OF OKLAHOMA

MICHAEL STEVEN HALL

89 62 0707 0187D WARRANT FOR ARREST

CASE NUMBER:

To: The United States Marshal and any Authorized United States Officer 89CR

83E

YOU ARE HEREBY COMMANDED to arrestMICHAEL STEVEN HALL				
Name				
and bring him or her forthwith to the nearest magistrate to answer a(n)				
X Indictment Information Complaint Order of court Violation Notice Probation Violation Petition				
charging him or her with (brief description of offense)				
Conspiracy to Manufacture; Possess with Inent to Distribute; and to Distribute Methamphetamine; Forfeiture				
in violation of Title United States Code, Section(s)846, 841(a)(1), 853				
JACK C2. STLVER  Name of Issuing Officer  Title of Issuing Officer				
Signature of Issuing Officer  Date and Location				
Dell Constant				
Bail fixed at \$ byName of Judicial Officer				
RETURN				
This warrant was received and executed with the arrest of the above-named defendant at 7200 E, 30 9				
Autchinson Kansas				
DATE RECEIVED  NAME AND TITLE OF ARRESTING OFFICER  SIGNATURE OF ARRESTING OFFICER  LUSTO  LUSTO  PARESTING OFFICER				
Duly 17, 1989 Eddie R. De Herver?				
July 10, 1969 Number Cherry 1 /dd - N / 6 1/21/21				

To: The United States Marshal

# United States District Court Aug 04 1989 w

NORTHERN 9 JUL 28 P BISTRICT OF -

OKLAHOMA

U.S. DISTRICT COLERK

UNITED STATES OF AMERICA

NON AMERICA NON AN DISTRICT OF OKLAHOMA WARRANT FOR ARREST

LOREN EUGENE HALL, JR.

and any Authorized United States Officer

CASE NUMBER:

89CR

83E

YOU ARE HEREBY COMMANDED to arrest	LOREN EUGENE HALL, JR.			
	Name			
and bring him or her forthwith to the nearest magistrate to answer a(n)				
☑ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition				
charging him or her with (brief description of offense)				
Conspiracy to Manufacture; Possess Methamphetamine; Forfeiture	with Inent to Distribute; and to Distribute			
in violation of Title21United States C	Sode, Section(s) 846, 841(a)(1), 853			
IACK CO CALVED				
JACK C. SILVER Name of Issuing Officer	Title of Issuing Officer JUL 0 6 1989			
Signature of Issuing Officer	Date and Location			
Bail fixed at \$	Total			
Dan fixed at \$	byName of Judicial Officer			
B	ETHON			
RETURN				
This warrant was received and executed with the arrest of the above-named defendant at 53 25t, NorTh, EBroadway, WichTa, Kansas				
DATE OF ARREST Eldie R. De Herrer2				
07-12-89 Eddie Niet Plerrers Sadic R. De Harrera				

JUL 27 1989 dt

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

JACK C. STWER. CLERK U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NO. 89-CR-83-06-E

MICHAEL STEVEN HALL,
et al.,

Defendants.

#### ORDER

This matter came before the court upon defendant's Motion for Reconsideration of the Conditions of Release and the brief in support of that motion. After having considered the motion and brief, the court hereby schedules this matter for hearing at 3:00 p.m. on Monday, the 31st day of July, 1989.

DATED this the day of July, 1989.

Honorable John L. Wagner United States Magistrate

94-1

F	T	T	-	
	Z.	L	E	D

IN	THE	UNITED	SI	TATES	DIS	STRI	CT	COURT	
FOR	THE	NORTHER	N	DISTR	ICT	OF	0	KLAHOMA	1

1111	~ -		
JUL	27	1989	act
		.005	all

UNITED S	STATES (	OF AMERICA, Plaintiff,	)			Jac U.S.	k C. Silver, Clerk DISTRICT COURT
vs.			)	NO.	89-CR-83-06-E	<b>/</b>	
MICHAEL et al.,	STEVEN	HALL,	)				
et al.,		Defendants.	)				

### BRIEF IN SUPPORT OF MOTION FOR RECONSIDERATION OF CONDITIONS OF RELEASE

COMES NOW the defendant, Michael Steven Hall, pursuant Local Rule 15(A) and submits this brief for filing. In support of his Motion for Reconsideration of Conditions of Release, defendant states:

- 1) Defendant has previously been determined by this court to be an indigent and entitled to the appointment of counsel under the Criminal Justice Act, 18 U.S.C. §3006A;
- 2) Conditions of release have previously been entered by this court. One of the conditions requires that defendant post a \$10,000 corporate surety bond;
- 3) Defendant is financially unable to post the previously referenced corporate surety bond and has remained in custody of the United States Marshal Service at the Tulsa County jail;
- 4) Counsel has spoken with defendant's mother, Mrs. Joan Rankin of 213 East First #B, Hutchinson, Kansas, 67501, (316) 669-9403;
- 5) Mrs. Rankin states that she is willing to act as third party custodian for her son and that he may live with her at the above referenced location during the pendency of this action.

Based on the preceding, the defendant respectfully requests that a hearing be scheduled at which time testimony can be given and the court can reconsider his conditions of release.

Respectfully submitted,

DAVID BOOTH

FEDERAL PUBLIC DEFENDER
222 SOUTH HOUSTON, SUITE C
TULSA, OKLAHOMA 74127
(918) 581-7656 FTS 745-7656
COUNSEL FOR DEFENDANT,
MICHAEL STEVEN HALL

#### CERTIFICATE OF SERVICE

I hereby certify on this the 27th day of July, 1989, a true copy of this Brief in Support of Motion for Reconsideration of Conditions of Release was hand delivered to the office of Jack Morgan, Assistant United States Attorney, counsel for plaintiff.

DAVID BOOTH

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

JUL 27 1989 OUT

UNITED STATES OF AMERICA,

Jack C. Silver, Clerk U.S. DISTRICT COURT

Plaintiff,

NO. 89-CR-83-06-E V

MICHAEL STEVEN HALL, et al.,

vs.

Defendants.

#### MOTION FOR RECONSIDERATION OF CONDITIONS OF RELEASE

COMES NOW the defendant, Michael Steven Hall, and respectfully moves the court for an order setting a hearing at which time the court will reconsider his conditions of release. Pursuant Local Rule 15(A), defendant includes for filing his brief in support of this motion. A proposed order scheduling the hearing sought is being included for the court's convenience.

Respectfully submitted.

DAVID BOOTH

FEDERAL PUBLIC DEFENDER
222 SOUTH HOUSTON, SUITE C
TULSA, OKLAHOMA 74127
(918) 581-7656 FTS 745-7656
COUNSEL FOR DEFENDANT,
MICHAEL STEVEN HALL

#### CERTIFICATE OF SERVICE

I hereby certify on this the 27th day of July, 1989, a true copy of this Motion for Reconsideration of Conditions of Release was hand delivered to the office of Jack Morgan, Assistant United States Attorney, counsel for plaintiff.

DAVID BOOTH

~ Ma

1	URISDICTION 3 APPEALS  MAG. 2 Stdist. 4 OTHER	2. MAG. DOCK		89-CR-03-01-1		0154502
. A	PPEALS DOCKET NO. 5. FOR (DISTRICT/CIRCUIT)  ND OKLAHOMA	6. LOC. CODE  OKNTU	7	21:846,841 (a)	S. or other tercitation)	7A. CASE COD
. 11	U.S.A. VS HALL	7 1	The state of the s	REPRESENTED (FULL NA		9A. NO. REPRES.
	PERSON REPRESENTED (STATUS)  1 DEFENDANT—ADULT 3 APPELLANT 5  2 DEFENDANT—JUVENILE 4 APPELLEE  PAYMENT CATEGORY	OTHER		DINGS (Describe briefly)		
	A FELONY C PETTY OFFENSE E  B MISDEMEANOR D APPEAL	OTHER	(b) —			
3.	COURT ORDER  O Appointing Counsel F Subs. for FD P Su	ubs. for Panel Att	у	Name of Prior page	al attama	
	C Co-Counsel R Subs. for Retained Atty.  Because the above-named "person represented" has testific		Appt. Date		_ Voucher	No
	otherwise satisfied this court that he or she (1) is financial counsel and (2) does not wish to waive counsel, and becau justice so require, the attorney whose name appears in iten represent this person in this case.  Sig. of Presiding Judicial Officer or By Order of	ly unable to empl se the interests of n 14 is appointed	f to Ji	m Heslet 61 S. Lewis, S lsa, OK 74105	Ste. 2	00
	July 20, 1989		4 3 G 4 G 70 76 G	LEPHONE NO.		. SEC. NO.
_		Tunc Date		18) 747-1058	444-	40-4001
_	SERVICE	M FOR SERVI	110000000000000000000000000000000000000	DATES		ria di Santa
7.	a. Arraignment and/or Plea					Multiply rate per hor times total hours to
1	b. Bail and Detention Hearings		-1.			obtain "In Court" compensation.
	c. Motions Hearings					Enter total below.
. [	d. Trial			TTD		
	e. Sentence Hearings		7			- :0
3	f. Revocation Hearings	727			X	ά.
	g. Appeals Court			JUL 26 1989 O	9	17A. TOTAL IN
T	h. Other (Specify on additional sheets)		i i	AAF MA 1909		COURT COMP
	(Rate per hour = \$60 ) TOTAL HOURS	S =	la al-	6 Cilver Clark		\$
	a. Interviews and conferences			C. Silver, Clerk		Multiply rate per ho
	b. Obtaining and reviewing records		U.S.	DISTRICT COURT		times total hours. Enter total "out of
	c. Legal research and brief writing			1 11 106		court" compensation below.
. 1	d. Travel time (Specify on additional sheets)		1 2			18A. TOTAL OUT O
	e. Investigative and other work (Specify on additional she	eets)			7.55	COURT
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1.	CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD					*
as ye or ye	Final Payment   Interim Payment No. compensation and/or reimbursement for work in this case es, were you paid? YES NO If yes, by whom were ey to you, or to your knowledge to anyone else, in connected, give details on additional sheets.	previously been a you paid? ction with the ma	How natter for which y	nuch? Has th	e person re ide represer	presented paid any ntation? UYES UI
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JENT	\$ \$	1P.   24. TRAVE	EL EXPENSE	25. OTHER EXPENS		26. TOTAL AMT. APPROVED/CER \$
OR PAYMENT	27. SIGNATURE OF PRESIDING JUDICIAL OFFICER			DATE		27A. JUDGE/MAG. CODE
4	28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS	(OR DELEGATE	Ξ)	DATE		29. TOTAL AMT. APPROVED

Hatitoh	States	District	(I murt
MILLIEU	ZIGILA	minnin	THILL

U.	. 21	1989

DISTR	
DISTR	Ur

KANSAS

U.S. DISTRICT COURT

89-9R-83-06-E

UNITED STATES OF AMERICA

٧.

**WAIVER OF RULE 40 HEARINGS** (Excluding Probation Cases)

MICHAEL STEVEN HALL

Case Number: 89-1081M-01

I,Michael S	Steven Hall		,	understand that in the
Northern	District of	Oklahoma		_, charges are pending
alleging violation of23	USC 846; 841; 85	3 Drugs		_ and that I have been
arrested in this District and taright to:	aken before a United State	s Magistrate, who i	informed me of	the charge and of my
(1) retain counsel or request to proceedings to this district put to determine if I am the personal been returned or an information been committed by me, the harmonic process of the second process o	rsuant to Rule 20, Fed. R. on named in the charge, and tion filed) to determine w	Crim. P., in order d (4) a preliminary of hether there is prol	to plead guilty, examination (un bable cause to l	(3) an identity hearing cless an indictment has believe an offense has
I HEREBY WAIVE (	GIVE UP) MY RIGHT T	O A(N):	JUL 1	7 1989
( $X$ ) identity hearing			RAIRHI DOL	JACH CLERK
( ) preliminary examination	on		By Cola	Deputy
( ) identity hearing and h	ave been informed I have	no right to a prelir	ninary examinat	tion
( ) identity hearing but re	equest a preliminary exami	nation be held in the	he prosecuting of	district
and, therefore, consent to the charge is pending against me.	e issuance of an order requ	iring my appearanc	e in the prosecu	ting district where the
		X Mike Defendant	Half	
July /3 , 1989 		ffhaile/ Defense Counse	Quele	esell

### CLERK'S COURTROOM MINUTE SHEET - CRIMINAL

#### PRETRIAL PROCEEDINGS

CASE NO. 39-1081/h-01

,	FILED
UNITED STATES OF AMERICA	
	JUL 1 3 1989
, h	E BALDILL D
V J •	R RALPH L. DeLOACH, CLERK
1 What Stuff is Flath	A Deputy
	N
	E
	( )Retained ( )Appointed
	( / 110 00 110 110 110 110 110 110 110 11
JUDGE: Woolev	KANSAS CITY
Larew	WICHITA X
CLERK: Mackey	TOPEKA
REPORTER:	
DATE: 7-11-09 PROCEE	DINGS
DATE: 7-//-89 PROCEE	
(X) RULE 5 ( ) DENTENTION HE	EARING ( ) BAIL HEARING
( /	R OF INDICTMENT (X) FELONY
( ) CHANGE PLEA ( ) APPEA	RANCE ( )MISDEMEANOR (X) Counsel appointed
(X)Def. sworn to financial status (X)Constitutional Rights Explained	
( )Declines to Waive Indictment ( )Signed Waiver of Indictment	<ul><li>( )Will be presented to next Grand Jury</li><li>( )Information filed on</li></ul>
( )Signed Consent to Transfer unde	er Rule 20 ( ) Petition for Probation Actio
( )Petition to Enter Plea filed	( ) Complaint ( ) Violation Notice (X) Indictment ( ) Number of Counts
( )Waived Reading of:	() Information () Read to Defendant
( )Previous Plea: ( )Guilty ( )	Not Guilty Counts: Withdrawn
( )Guilty	Counts: Accepted
( )Not Guilty ( )Admitted ( )Denied Being	Juvenile Delinguent as charged
( ) Forms Furn	iched
( )Judgment deferred ( )P.S.I. Orde	ered ()Sentencing Set for:
() Set for trial	ed on Present Bail (X) Remanded to custod
( )Release	e ordered ( ) Detention ordered
( )To be Dis	smissed on Motion of U. S. Attorney at Time of Sentencing.
(X) Continued to 7-11-89 at 1:30 4.4h	for bail & removal ring.
Motions to be filed by:	,
Responses or briefs filed by:	Reply Briefs:
Motions heard on:	
Tentative Trial Date:	•
( ) Defendant waived Omnibus Hearing	,
( ) Defendant refused to proceed in	Magistrate's Court and remanded to

# United States District Court FILED

			WANGA 6	To the second second
		_ DISTRICT OF _	KANSAS	JUL 1 3 1989
U	NITED STATES OF AMERICA			RALPH L. DeLOACH, CLERK By Calaray Deputy
	V.	OR		ING CONDITIONS RELEASE
MICHAI	EL STEVEN HALL  Defendant	Case Num	nber: 89–108.	LM-01
IT I	S ORDERED that the release of the def	fendant is subject to	the following co	onditions:
(1)	The defendant shall not commit any of case.	ffense in violation of	f federal, state or	r local law while on release in this
	The defendant shall advise the court a telephone number and pl The defendant shall appear at all pro	lace of empl	ovment (ar	id telephone number)
7	imposed as directed. The defendant sh Wichita, Kansas			Place Place ./1:30 p.m.
	Release on Person	al Recognizance	or Unsecured	Bond
IT IS	FURTHER ORDERED that the defender	dant be released pro	vided that:	
( <b>V</b> ) (4)	The defendant promises to appear at al imposed.	ll proceedings as req	uired and to sur	render for service of any sentence
( ) (5)	The defendant executes an unsecured	bond binding the		ty the United States the sum of dollars (\$)
	in the event of a failure to appear as rec	quired or to surrende	r as directed for	service of any sentence imposed.

#### **Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and

the safety conditions		her persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the ted below:
( ) (6)	(Na	defendant is placed in the custody of: me of person or organization)
	(Cit	dress)
appearance	s (a) e of the	to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant additions of release or disappears.
		Signed:
		Signed:Custodian or Proxy
	(a)	e defendant shall: maintain or actively seek employment. maintain or commence an educational program.
		abide by the following restrictions on his personal associations, place of abode, or travel:  That defendant not leave Kansas during the time this case is pending without first obtaining permission of the court.
X	) (d)	avoid all contact with xiex of box in x x x x x x x x x x x x x x x x x x
(	) (e)	report on a regular basis to the following agency:
(	) (f)	comply with the following curfew:
(	) (h)	refrain from possessing a firearm, destructive device, or other dangerous weapon. refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner. undergo medical or psychiatric treatment and/or remain in an institution, as follows:
( )	) (j) ¯	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:
	) (k)	post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
N.	(l) (m)	execute a bail bond with solvent sureties in the amount of \$ \( \frac{10,000.6}{2} \) return to custody each (week)day as ofo'clock after being released each (week)day as ofo'clock for employment, schooling, or the following limited purpose(s):
(	) (o)	surrender any passport toobtain no passport.
`		

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
  (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.
- A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

Address

City and State

Telephone

#### Directions to United States Marshal

( ) The defendant is ORDERED released after processing.

The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, it still in custody.

11 11 1000

Date:

Judicial Officer

## **FILED**

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

JUL 1 3 1989

			JOLIO
UNITED STATES	OF AMERICA,		) RALPH L. DeLOACH, CLERK
	Pla	aintiff,	By Call Ray Deputy
V •			) Case No. 89-1081M-01
MICHAEL STEVEN	N HALL		)
	Def	endant.	) ) _)
The defer	ndant under o	oath has swor	n or affirmed as to his
financial inal	bility to emp	ploy counsel.	
Offense:	21 USC 846	5; 841; 853	Drugs
Federal 1	Public Defend	der	
Appoin	ted on	7-11-89	by:
X U:	nited States	Magistrate 3	John B. Wooley
U:	nited States	District Jud	lge
Case ass	igned to: Fe	ederal Public	Defender
Defendan	t is committ	ed to custod	y of the U. S. Marshal in
lieu of posti	ing \$10,000.0	00 cash or su	rety bond
The foll	owing proceed	dings are set	t for hearing on the dates
indicated:			
1. Omni 2. Prel 3. Remov	iminary Hear	Arraignment ing	, 19 , 19 , 19
There is	kare	o-defendant(	s) in this case.
Dated this llt	th day of 1989.	Ū. S	MXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
		or B	y Order of the Court
			Daniel Clark
		Cler	k or Deputy Clerk

## FINANCIAL AFFIDAAT

	IN SUFFUR	TO OF REQUEST FOR ATTURNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PATMENT OF FEE
IN THE	UNITED STA	LOCATION NUMBER
18	7 7. L~	Just Vs. Michael For AT
41	Nichau	DCCKET NUMBERS    Defendant—Adult   2   Defendant—Juvenile   3   Appellant
		ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY
	EMPLOY- MENT	Are you now employed?     Yes   No   Am Self Employed   Doory Coast - Converting
ASSETS -	OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources?     Yes   No
	CASH	Have you any cash on hand or money in savings or checking account \( \subseteq \) Yes \( \subseteq \) IF YES, state total amount \( \subseteq \subseteq \)
	PROP- ERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)?   VALUE  DESCRIBE IT  DESCRIBE IT
BLIGATION		MARITAL STATUS  Total No. of Dependents  MARRIED  WIDOWED SEPARATED OR DIVORCED  Total No. of Dependents  List persons you actually support and your relationship to them  MOYCE  MOYCE  LIST Persons you actually support and your relationship to them  MOYCE  MOYCE  MARRIED  WIDOWED SEPARATED OR DIVORCED
A DEBTS	MON BILL (LIST AI TORS, IF BANKS, PANIES, ACCOUNT	LL CREDI- NCLUDING LOAN COM- CHARGE TS, ETC.)  \$ \$
the	1 Day of	NATURE OF DEFENDANT  WOR PERSON REPRESENTED)  **Mule Half  7/11/F9
WARNI	NG: AF	ALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE

#### UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK DISTRICT OF KANSAS

RALPH L. DELOACH CLERK 204 U.S. COURTHOUSE 401 NORTH MARKET WICHITA, KANSAS 67202 (316) 269-6491 FTS: 752-6491

490 U.S. COURTHOUSE 444 S.E. QUINCY TOPEKA, KANSAS 66683 (913) 295-2610 FTS: 752-2610

151 U.S. COURTHOUSE 812 NORTH SEVENTH KANSAS CITY, KANSAS 66101 (913) 236-3719

RECEIVED

JUL 21 1989

CK C. SILVER, CLERK

July 19, 1989

Jack C. Silver, Clerk U.S. District Court 411 U.S. Courthouse 333 W. 4th Street Tulsa, OK 74103

RE: United States of America v. Michael Steven Hall

Mag. No. 89-1081M-01 Oklahoma No. 89 CR 83E

Dear Sir:

I enclose together with a certified copy of the Commitment to Another District (pursuant to Rule 40) the following papers:

Waiver of Removal Hearing Courtroom Minute Sheet dated 7-11-89 Order Setting Conditions of Release Appointment of Federal Public Defender Financial affidavit

Very truly yours,

RALPH L. DELOACH, CLERK

Carla Ray, Deputy Cleri

cc: U.S. Attorney

Federal Public Defender

U.S. Magistrate U.S. Probation

LED

### United States District Court

773 ×	MANA
	IUNU
	1989

	TOT	CENT	CT	OF	
.,	1.9	I K			

KANSAS

Ver, Clerk

UNITED STATES OF AMERICA

89-CR-83-03-EV

٧.

WAIVER OF RULE 40 HEARINGS (Excluding Probation Cases)

LOREN EUGENE HALL, JR.

Case Number: 89-1081M-02

I, Loren Eugene Hall, Jr.		$_{-}$ , understand that in the
Northern District of	Oklahoma	, charges are pending
alleging violation of 21 USC 846; 841; 853	Drugs	and that I have been
arrested in this District and taken before a United State right to:	es Magistrate, who informed me	of the charge and of my
(1) retain counsel or request the assignment of counsel is proceedings to this district pursuant to Rule 20, Fed. R. to determine if I am the person named in the charge, an been returned or an information filed) to determine we been committed by me, the hearing to be held either in	Crim. P., in order to plead guilty d (4) a preliminary examination (whether there is probable cause to	y, (3) an identity hearing unless an indictment has believe an offense has
I HEREBY WAIVE (GIVE UP) MY RIGHT T		1 7 1989
( ∠) identity hearing	002	. 1 1303
( ) preliminary examination	RALRH L. D. By Clale	eLOACH, CLERK
( ) identity hearing and have been informed I have		
( ) identity hearing but request a preliminary exam	ination be held in the prosecuting	g district
and, therefore, consent to the issuance of an order required charge is pending against me.	iiring my appearance in the prose	cuting district where the
July 14, 1989.  Date	Defendant  Aus Min- Defense Coynsel	16311

#### CLERK'S COURTROOM MINUTE SHEET - CRIMINAL

#### PRETRIAL PROCEEDINGS

CASE NO. 89-10817h-02

UNITED STATES OF AMERICA	A 4/4 - Thike Christensen
	P
Losen Hall, Jr.	S. Chaig Robinson
	E S
•	()Retained = D (X)Appointed
JUDGE: Wooley  CLERK: Mackey  REPORTER:	HALPH L. DeLOACH, CLEBREKA  By Cale Ray Deputy
DATE: 7-11-19 PROCEE	
	R OF INDICTMENT (X) FELONY
( )CHANGE PLEA ( )Def. sworn to financial status ( )Constitutional Rights Explained ( )Declines to Waive Indictment ( )Signed Waiver of Indictment ( )Signed Consent to Transfer under ( )Petition to Enter Plea filed ( )Waived Reading of:  ( )Previous Plea: ( )Guilty ( )I ( )Guilty ( )Not Guilty ( )Admitted ( )Denied Being ( )Forms Furni ( )Judgment deferred ( )P.S.I. Orde	( ) Will be presented to next Grand Jury ( ) Information filed on  r Rule 20  ( ) Complaint ( ) Violation Notice ( ) Indictment ( ) Number of Counts ( ) Information ( ) Read to Defendant  Not Guilty Counts:  Counts:  Counts:  Juvenile Delinquent as charged  Shed
()Set for trial (X)Bail \$50,000.00 c/s ()Continued ()Remain at \$ ()Release	on Present Bail (X) Remanded to custody ordered ( ) Detention ordered missed on Motion of U.S. Attorney at Time
Motions to be filed by:	e e
Responses or briefs filed by:	Reply Briefs:
Motions heard on:	
Tentative Trial Date:	
<ul> <li>( ) Defendant waived Omnibus Hearing</li> <li>( ) Defendant refused to proceed in Management</li> <li>District Court</li> </ul>	Magistrate's Court and remanded to

#### CJA 23 °.

# FINANCIAL AFFIDAVIT IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED ST	TATES X MAGISTRATE   DISTRICT   APPEALS COURT or   OTHER PANEL (Specify below)
U.S.A.	DISTRICT OF KANSAS KSXWI
Sugare	WICHITA, KANSAS
PERSON REP	RESENTED (Show your full name)  DCCKET NUMBERS  DCCKET NUMBERS
	Magistrate Magistrate
Loron	Segue dell de 3 - Appellant District Court
	4 □ Probation Violator 5 □ Parole Violator Court of Appeals
CHARGE/OFFEI	ISE (describe if applicable & check box → ) ☐ Misdemeanor 6 ☐ Habeas Petitioner
	7 🗆 2255 Petitioner L
	9 Chher (Specify)
	ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY
<b>7</b>	Are you now employed? Yes 12No Am Self Employed
	Name and address of employer: Self emp. Halls Tree Service (W/sont of Horac)
EMPLOY	earn per month? \$ 20,000 % How much did you earn per month & 20,000 % How much did you earn per month & 20,000 %
MENT	If married is your Spouse employed? Yes \( \text{No Married} \)
	IF YES, how much does your If a minor under age 21, what is your
	Spouse earn per month \$ 00.00 Parents or Guardian's approximate monthly income \$
	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources?
OTHER	RECEIVED SOURCES
ASSETS TINCOME	RECEIVED & IDENTIFY \$
	THE SOURCES
CASH	Have you any each on hand or money in savings or checking account \( \tag{Yes} \) Yes \( \tag{No} \) IF YES, state total amount \( \frac{1}{2} \) \( \frac{1}{2} \)
	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ★ Yes □ No
PROP-	VALUE TO SESCRIPTION
ERTY	DESCRIBE IT
	MARITAL STATUS Total No. of Using the Dependents    List persons you actually support and your relationship to them
DE	PENDENTS MARRIED
	LJ WIDOWED SEPARATED OR
OBLIGATIONS	L DIVORCED
DEI	APARTMENT OR HOME: 1050 No General State of Solice of So
	NTHLY OR HOME: 1020 810 Deorge \$ \$500.00
DAY Pross,	ALL SPEEDS , 1989 Telo , \$
JOHN B. WOOLEY.	S. MAGISTRATE (EUS 788-888) \$ \$
SIC	SNATURE OF DEFENDANT
	(OR PERSON REPRESENTED)
WARNING: A	FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE

# United States District Court



				JUL 1 4 1989
		DISTRICT OF	KANSAS	
				RALPH L. DELOACH, CLERK
				By Cutti Deputy
1	UNITED STATES OF AMERICA			V
	V	ORDE	R SETTING	G CONDITIONS
	V.		OF REI	
	LOREN EUGENE HALL, JR.	Case Number:	89-108	1M-02
	Defendant			
IT	IS ORDERED that the release of the defen	idant is subject to the f	following condit	ions:
(1	) The defendant shall not commit any offe case.	nse in violation of fede	eral, state or loca	al law while on release in this
	The defendant shall advise the court and telephone number and plant of the defendant shall appear at all process.			
4	imposed as directed. The defendant shall	l next appear at (if bla	nk, to be notifie	d)Place
	Wichita, Kansas o	n July / 9, 1	989 at 9:3	30 a.m.
		. " І	ate and Time	
	Release on Personal	Recognizance or U	Insecured Bo	nd
IT I	S FURTHER ORDERED that the defendant	nt be released provided	I that:	
( <b>V</b> ) (4)	The defendant promises to appear at all p imposed.	proceedings as required	and to surrende	er for service of any sentence
( ) (5)	The defendant executes an unsecured b	oond binding the defe	ndant to pay th	e United States the sum of
	in the event of a failure to appear as requi	red or to surrandor	dolla	ars (\$)
	in the event of a famule to appear as requi	ica of to sufferider as t	meeted for servi	ce of any sentence imposed.

#### **Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below: ) (6) The defendant is placed in the custody of: (Name of person or organization) (Address)\_ (City and State)\_\_\_ \_\_\_\_\_ (Tel. No.) \_\_\_\_\_ who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears. Custodian or Proxy (x) (7) The defendant shall: ( ) (a) maintain or actively seek employment. ( ) (b) maintain or commence an educational program. ( \( \forall \) (c) abide by the following restrictions on his personal associations, place of abode, or travel: That defendant not leave Kansas during the time this case is pending without first obtaining permission of the court. (X) (d) avoid all contact with the following months are the following months and the following months are the following months and the following months are the following months and the following months are the following months are the following months are the following months and the following months are the followi ( ) (e) report on a regular basis to the following agency: ( ) (f) comply with the following curfew: ( ) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon. (·) (h) refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner. ( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: ( ) (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: ( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: (1) execute a bail bond with solvent sureties in the amount of \$ 50,000, & (1) (m) return to custody each (week)day as of \_\_\_\_\_\_o'clock after being released each (week)day as of \_\_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): ( ) (n) surrender any passport to \_\_\_\_\_ ( ) (o) obtain no passport. ( ) (p) \_\_\_\_\_

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

Address

City and State

Telephone

#### Directions to United States Marshal

( ) The defendant is ORDERED released after processing.

The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date:

Judicial Officer

CJA 20 (Int 1/88) APPOIN	MENT OF				COUNSI	Element in the second
A JURISDICTION 3 A	PPEALS	2. MAG. DOCI	KET NO. 3.E	IST. CT. D. F NO.	VOUCHER	
1 MAG. 2 DIST. 4 DO		89-1081			Line in the	0144/24
4. APPEALS DOCKET NO. 5.1	FOR (DISTRICT/CIRCUIT)		7. C	HARGE/OFFENSE	J.S. or other ode citation	
	Kansas	KSXWI	2.	1 USC 841	ode citation)	68
8. IN THE CASE OF	FIRE I		9. PERSON REF	RESENTED (FULL	NAME)	9A. NO. REPRES.
U.S.A VS	Hall		Loren	XXXXXX Hal	l, Jr.	1
10. PERSON REPRESENTED (ST.	ATUS)		11. PROCEEDIN	IGS (Describe briefly)	4	2" se 1 % 5 As
1 DEFENDANT—ADULT 2 DEFENDANT—JUVENIL	3 APPELLANT	5 OTHER	all pro	oceedi To	- ()	
12. PAYMENT CATEGORY	E 4 LI APPELLEE		-	E ~ E NUMB 18	man water	
A FELONY C	PETTY OFFENSE	E OTHER	× 1			3.0
B MISDEMEANOR D	APPEAL	- 1		JUL 1	4 1989	
13. COURT ORDER		THE STATE OF THE S	ter de			*
O Appointing Counsel F	Subs. for FD P	Subs. for Panel Att	у	BALPH L Del C	ACH CL	EDV
C □ Co-Counsel R □ Subs	for Retained Atty		Appt. Date	By Cull Ra	aner attorney	r No
Because the above-named "pers		tified under oath or				ebuty
otherwise satisfied this court th	at he or she (1) is finance	cially unable to emp	loy 14. MAIL	E OF ATTORNEY/PA	YEE AND	
counsel and (2) does not wish to justice so require, the attorney			f			
represent this person in this cas			G.	Craig Robin		
( b - 1/1.	TS 11/2.	100		orney at La	W	
Sig. of Presiding Jud	icial Officer or By Orde	r of Court (Clerk/De	onuty)	N. Main		
		C (Single)	Wic	hita, Kansa	s 672	02
July 12, 1989	<b>&gt;</b>		15. TELE	PHONE NO.	16. SOC	SEC. NO.
Date of Order	Nun	c Pro Tunc Date	316	/267-1229	51	4-52-7980
	CL	AIM FOR SERV	THE RESERVE OF THE PERSON NAMED IN COLUMN 2 IS NOT THE OWNER, THE PERSON	THE RESERVE OF THE PERSON NAMED IN		
SERVI		ноц		DATES		Multiply rate per hour
17. a. Arraignment and/or Plea						times total hours to
b. Bail and Detention Hearings						obtain "In Court" compensation.
c. Motions Hearings			7.4	7. —		Enter total below.
L d. Trial	The state of the s		40			Litter total below.
e. Sentence Hearings						V C S S
f. Revocation Hearings						
g. Appeals Court						
- g. Appears court	10.2.					17A. TOTAL IN COURT COMP.
h. Other (Specify on additional						
	0.00) TOTAL HOL	JRS =				\$
18. a. Interviews and conferences  b. Obtaining and reviewing rec						Multiply rate per hour times total hours.
				<b>3</b> .= 1		Enter total "out of court" compensation
Ú I						below.
d. Travel time (Specify on add			4 -			18A. TOTAL OUT OF COURT
e. Investigative and other work				1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	3.71	COMPENSATION
	10.00 ) TOTAL HO	URS=				\$
19. TRAVEL, LODSING, MEAL	SETC. AMOUN	Г	OTHER EXPENSE	S AI	MOUNT	19A. TOTAL TRAVEL
						LXF.
	2.7					\$
S						19B. TOTAL OTHER EXP.
ZSES	100 700 1					avenue file
X X E S S					1.0	\$
X						20. GRAND TOTAL CLAIMED
						CEATWED
- 44						
						\$
21. CERTIFICATION OF ATTOR				то		
F  Final Payment   I Interim	Payment No					*
Has compensation and/or reimburse	ement for work in this o	case previously been	applied for?	ES LINO	ves s	10, 10
If yes, were you paid? YES money to you, or to your knowledge	ge to anyone else, in cor	nnection with the m	atter for which you	were appointed to pro	tne person re ovide represe	presented paid any
If yes, give details on additional she		The state of the		appointed to pri	Topiese	
I swear or affirm the truth or correct above statements						<u> </u>
	THE PARTY OF THE P	TURE OF ATTORN		,		ATE
22. IN COURT COMP.	23. OUT OF COURT C	OMP. 24. TRAV	EL EXPENSE	25. OTHER EXPEN	ISES	26. TOTAL AMT. APPROVED/CERT
\$ JEN	\$	\$		\$		\$
\$ 27. SIGNATURE OF PRESIDOR OF SIGNATURE OF CHIEF J	ING JUDICIAL OFFIC	EK		DATE		27A. JUDGE/MAG. CODE
28. SIGNATURE OF CHIEF J	UDGE, CT. OF APPEA	LS (OR DELEGAT	Ε)	DATE	= 151	29. TOTAL AMT. APPROVED

#### UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK DISTRICT OF KANSAS

RALPH L. DELOACH CLERK 204 U.S. COURTHOUSE 401 NORTH MARKET WICHITA, KANSAS 67202 (316) 269-6491 FTS: 752-6491

July 19, 1989

444 S.E. QUINCY
TOPEKA, KANSAS 66683
(913) 295-2610
FTS: 752-2610
151 U.S. COURTHOUSE
812 NORTH SEVENTH
KANSAS CITY, KANSAS 66101
(913) 236-3719

490 U.S. COURTHOUSE

JUL 21 1989

CK C. SILVER CLERK

Jack C. Silver, Clerk U.S. District Court 411 U.S. Courthouse 333 W. 4th Street Tulsa, OK 74103

RE: United States of America v. Loren Hall, Jr. Mag. No. 89-1081M-02 Oklahoma No. 89 CR 83E

Dear Sir:

I enclose together with a certified copy of the Commitment to Another District (pursuant to Rule 40) the following papers:

Waiver of Removal Hearing Courtroom Minute Sheet dated 7-12-89 Order Setting Conditions of Release CJA Appointment of Counsel Financial affidavit

Please acknowledge receipt of the above papers on the enclosed copy of this letter.

Very truly yours,

RALPH L. DELOACH, CLERK

Carla Ray, Deputy Clerk

cc: U.S. Attorney Craig Robinson U.S. Magistrate U.S. Probation

# United States District Court

Jack C. Silver, Clerk U.S. DISTRICT COURT

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA

# **ORDER SETTING CONDITIONS**

<b>v</b> .	OF RELEASE
LOREN E. HALL	Case Number: 89-CR-83-03-E
Defendant	
IT IS ORDERED that the release of the defe	ndant is subject to the following conditions:
(1) The defendant shall not commit any offer case.	ense in violation of federal, state or local law while on release in this
(2) The defendant shall advise the court and	d the U.S. attorney in writing prior to any change in address.
(3) The defendant shall appear at all process	eedings as required and shall surrender for service of any sentence
imposed as directed. The defendant sha	ll next appear at (if blank, to be notified)Place
	Date and Time

#### Release on Personal Recognizance or Unsecured Bond

V	)	(4)	The defendant promises to appear at all proceedings as required and to surrender for service of any sentence
•	1	( • /	imposed.
	)	(5)	The defendant executes an unsecured bond binding the defendant to pay the United States the sum of
			dollars (\$)
			in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.



#### **Additional Conditions of Release**

	ther persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the sed below:
	defendant is placed in the custody of:
(Na	me of person or organization)
(Ad	v and State) (Tel No.)
appearance of the	dress)
	Signed:
	Custodian or Proxy
( ) (a) ( ) (b) X(X) (c)	e defendant shall: maintain or actively seek employment. maintain or commence an educational program. abide by the following restrictions on his personal associations, place of abode, or travel: vel is restricted to the Northern District of Oklahoma unless
ner	mission to travel outside the Northern District is granted
fro	m the U. S. Probation Office.
( ) (d)	avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:
, , , ,	report on a regular basis to the following agency:  Report to the U. S. Probation Office as directed.
( ) (f)	comply with the following curfew:
( ) (h)	refrain from possessing a firearm, destructive device, or other dangerous weapon. refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner. undergo medical or psychiatric treatment and/or remain in an institution, as follows:
(X)K(j)	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \$50,000 cash/surety
( ) (k)	post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
( ) (1)	execute a bail bond with solvent sureties in the amount of \$
( ) (m	o'clock for employment, schooling, or the following limited purpose(s):
( ) (0	surrender any passport to
(X)X (p)	To successfully participate in drug monitoring as directed by the U.S. Probation Office

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both; (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.
- A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above. 1050 N. Georgie St.

> Address Derby, KS 67037 NO PHONE City and State Telephone

#### Directions to United States Marshal

( )	The	defendant	is	ORDERED	released	after	processing
1-1	CCCI	**					Processing.

X(X) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody

7-20-89 Date:

Judicial Officer

INFORMATION SHEET	INF	'ORMATION	SHEET
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O DIEDEL
July W, 1989, Before Magistrate: Wagner (X) Wolfe ()
Case No. 89-CR-83-E (M)   PILED
UNITED STATES OF AMERICA V. horen E. Hall
Defendant's Age 34 Sex May Date of Birth 4-30-55
Defendant's Address /050 N. GEORGIE U.S. DISTRICT COURT
DERBY Kanson 67637
Defendant's Age 34 Sex Mal, Date of Birth 4-3U-55  Defendant's Address /050 N. Grongie U.S. DISTRICT COURT  Sorby Kanna 67637  (Phone #) None (daspters) phone
Date of Arrest Arrested by
Date of Arrest  Arrested by  Bail Fixed \$ 50,000 ( Da Sut in dist of KS) (Cash or Surety) (10% Dep) (Unsecured)
Bail Made \$ (Cash or Surety) (10% Dep) (Unsecured)
Bail Not Made
Special Conditions: ( Report as Directed  ( Travel restricted to ND/OK and
Preliminary Exam: Date Scheduled at
Arraignment: Date Scheduled at
Defendant Requests Public Defender: yes ( ) no ( )
Defendant's Attorney: Alm Muslet (Ct.Apptd) (Retained)  5561 S. Lewis Hue, Suite 200
74/05 (Phone #) 747-1058
Attorney for USA: Smrsam
Remarks:
Minute: <u>Aappears for IA</u> . Junan Affid executed, FRO agot & present Bond Continued as set in Most of KS. Arr held, I pleads No. Debed dates to be med.  Bail 1xt made.

### FINANCIAL AFFIDAPIT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

	TO REGUEST TOR ATTORNET,	The transfer of the same of the same		IN SUM AND ACCUSED TO
IN UNITED STA	TES MAGISTRATE DISTR	~	or OTHER PANEL (Specify below)	LOCATION NUMBER
LUSA	vs. LOREN E	FOR	Ohla	
HAU dr		AT VACAT	Mel.	1085-4
	ESENTED (Show your full name)	10000	1 Defendant—Adult	DOCKET NUMBERS
	Eugene Hall		2 ☐ Defendant—Juvenile	Magistrate
FOREIG	20 8-10-11		3 Appellant	District Court
			4 ☐ Propation Violator  5 ☐ Parole Violator	89-CR-83-E
CHARGE/OFFENS	SE (describe if applicable & check box -	→ )	6 Habeas Petitioner 1989	Court of Appeals
Conson	ar to Mar.		7 🗆 2255 Petitioner	
	el Substance Tal:		L C Silver C	lerk
Contract	el Dissone Tal:	846	U.S. DISTRICT CO	JOK1
			NG ABILITY TO PAY	
	Are you now employed?	] Yes □ No 🔀	Am Self Employed	les Konsas
	Name and address of emplo		F NO, give month and year o	1,
EMPLOY- Ment	earn per month? \$_	2000 ±	How much did you earn per r	
I MERT	If married is your Spouse en		<b>₹</b> No	
	IF YES, how much does your	r If a mind	or under age 21, what is you	
	Spouse earn per month	n \$ Parents of	or Guardian's approximate m	onthly income \$
			rom a business, profession or othe r annuity payments, or other source	
OTHER		RECEIVED	SOURCES	
ASSETS 🔏 INCOME	IF YES, GIVE THE AMOUN RECEIVED & IDENTIF			
	THE SOURCE			
CASH	Have you any cash on hand or mo	ney in savings or checkir	ng account □ Yes XNo IF YE	S, state total amount \$
			automobiles, or other valuable	property (excluding ordinary
222	household furnishings and cloth	ning)?	DESCRIPTION	DN
PROP- ERTY	IF YES, GIVE VALUE AN	D \$		
\$5000000 (\$750 Gaz)	DESCRIBE I	Т	· · · · · · · · · · · · · · · · · · ·	
	MARITAL STATUS		persons you actually support and you	r relationship to them
	SINGLE	No. of Dependents	rife - LINDA ANN	Hou (41)
DEP	ENDENTS   MARRIED	2 y 1 d	Jan Masing Dawn	(12)
	□ WIDOWED SEPARATED OR		on goshua Davi	d HAU (8)
OBLIGATIONS	DIVORCED	Creditors		Total Debt Monthly Payt.
DEB	DEBTS & APARTMENT OR HOME:		¢	( 100)
BILL		lent Le DEBTS	\$ 2	25,900 \$
TORS, I	NCLUDING Bowk Recent	4 Repossissis Ed &	ar a	\$
PANIES,	TS, ETC.) By Reduc		\$_	\$
010	NATURE OF DECEMBANT	I certify the	above to be correct.	
SIG	NATURE OF DEFENDANT (OR PERSON REPRESENTED)	Jorles &	Hall IX	7-20-89

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

JUL 20 1989

	NORTHERN DISTRICT OF OKLAHOMA Jack C. Silver, Clerk
UNITED ST	U.S. DISTRICT COUR
	Plaintiff, )
vs.	) NO. 89-CR-83-01-E
	)
LOREN E	- HALL
	Defendant(s) )
* 2	ORDER APPOINTING COUNSEL
employ co affiant(s) accordance	his 20th day of JULY , 19 89 , the above- ing completed an affidavit as to financial ability to bunsel, and upon review, the Court finds that the is/are financially unable to obtain counsel. In with the Northern District of Oklahoma Plan for ing the Criminal Justice Act of 1984,
IT IS	HEREBY ORDERED that the:
	Federal Public Defender is appointed to represent the following:  all further proceedings unless and until relieved by order of the court.
XX	Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, as necessary, for appointment to represent the following:  LOREN E. HALL
	Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court.
	Federal Public Defender is temporarily appointed to represent the following:
	for purposes of initial appearance only.
Date	this 20th day of JULY 19 89.
	kt Vid 1/ha
	JOHN LEO WAGNÉR UNITED STATES MAGISTRATE

# United States District Court

DISTRICT OF KANSAS

UNITED STATES OF AMERICA V.	COMMITMENT TO ANOTHER DISTRICT				
LOREN HALL, JR.	CASE NUMBER: 88-1081M-02				
The defendant is charged with a violation of	21 U.S.C. 841; 846; 853 alleged to have been com-				
mitted in the <u>Northern</u> District of <u>Okla</u>	homa				
Brief Description of Charge(s):					
manufacturing of, possession of and a Schedule II controlled substance.	distribution of methamphetatmine,				
The defendant has been unable to obtain release under the Bail Reform Act of 1984, 18 U.S.C. §§3141-3143.					
TO: THE UNITED STATES MARSHAL	*				
fendant with a certified copy of this commitment	of the above named defendant and to transport that de- forthwith to the district of offense as specified above and farshal for that District or to some other officer authorized Fed. R. Crim. P. 40 having been completed.				
Date 17,1989	Judicial Officer Judicial Officer				
	RETURN				
This commitment was received and executed as follows	s:				
DATE COMMITMENT ORDER RECEIVED PLACE OF CO					
7/20/89 Kemeth L. Pe	(BY) DEPUTY MARSHAL				
	•				

# United States District Court 301 20 1989 /

NORTHERN	DISTRICT OF		C. Silver, Clerk				
UNITED STATES OF AMERICA							
V.	ORDER	SETTING COND	ITIONS				
		OF RELEASE					
MT CUA DT CODDINA AND A	Case Number:	89-CR-83-06-E					
MICHAEL STEVEN HALL  Defendant		03-CK-03-06-E					
Belefidarit							
IT IS ORDERED that the release of the defendant is subject to the following conditions:							
(1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.							
(2) The defendant shall advise the court and the U.S. attorney in writing prior to any change in address.							
(3) The defendant shall appear at all proce							
imposed as directed. The defendant shall			or any sentence				
		Pla	ace				
0	nDate	and Time					
Release on Personal Recognizance or Unsecured Bond							
IT IS FURTHER ORDERED that the defendant be released provided that:							
√ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.							
) (5) The defendant executes an unsecured by	oond binding the defenda	ant to pay the United Stat	es the sum of				
£		dollars (\$	Υ.				
in the event of a failure to appear as requi	red or to surrender as dire	cted for service of any sente	ence imposed.				

#### **Additional Conditions of Release**

Upon find the safety of ot conditions mark	ding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and ther persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the ked below:
(Nai	defendant is placed in the custody of:  me of person or organization)
(Cit	dress)(Tel_Ne.)
appearance of the	to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the he defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant anditions of release or disappears.
	Signed:
	Custodian or Proxy
(XX ) (7) The	e defendant shall:
( ) (a)	maintain or actively seek employment.
( ) (b)	maintain or commence an educational program.
Travel i	abide by the following restrictions on his personal associations, place of abode, or travel:  s restricted to the Northern District of Oklahoma unless
permissi	on to travel outside the Northern District is granted ,
from the	U. S. Probation Office: to include District of Kansas, and W.P. Ok
( ) (d)	avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:
XX (e) Repor	report on a regular basis to the following agency: t to the U. S. Probation Office as directed.
( ) (f)	comply with the following curfew:
( ) (g)	refrain from possessing a firearm, destructive device, or other dangerous weapon.
( ) (b)	refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances
( ) ()	defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.
( ) (i)	undergo medical or psychiatric treatment and/or remain in an institution, as follows:
<b>¾¾</b> (j)	execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:\$10,000 cash/surety
( ) (k)	post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:
( ) (1)	execute a bail bond with solvent sureties in the amount of \$
	o'clock for employment, schooling, or the following limited purpose(s):
	surrender any passport to
( ) (o)	obtain no passport. accessfully participate in drug monitoring as directed by the
	Drobotion Office
0. D.	, Propation Office

#### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both. A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

#### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

1058 N. Georgie St.

Address

Derby, KS 67037 NONE

City and State Telephone

(316) 788-6015

#### Directions to United States Marshal

)	The defendant is ORDERED released after processing.
X	The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the
	defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the
	appropriate judicial officer at the time and place specified, if still in custody.
	Date: 7-20-89

INFORMATION SHEET
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	C A					
July 20	1989, Before Magistrate: Wagner (X) Wolfe (1)					
Case No. 89-6/(-85-8	JUL 20 1989					
	Michael Sterren Hall					
Defendant's Age 3+ Sex 1	Male Date of Birth 09-08-52U.S. DISTRICT COURT					
Defendant's Address /052	N. Greongie St.					
_ Drib	y Karras 67037					
	(Phone #) None (108-1015)					
Date of Arrest	Arrested by					
Bail Fixed \$ 10,000 (ld Alt in C	Arrested by (Cash or Surety) (10% Dep) (Unsecured)					
Bail Made \$	(Cash or Surety) (10% Dep) (Unsecured)					
Bail Not Made						
Special Conditions: ( Report as Directed  ( Travel restricted to ND/OK and WA/Kancas) + WO/OK  ( ) Refrain from possession of firearm, etc.  ( Successful participation in drug screening  ( )						
Preliminary Exam: Date Schedul	ed at					
	at					
Defendant Requests Public Defe						
Defendant's Attorney:	Wid Booth (Ct.Apptd) (Retained)					
Attorney for USA:	(Phone #)					
Domenica						
Remarks:						
Minute: <u>Dappeaus for IA</u> * present. Bond Cont  feld & pleads NG,  Bail not madee.	As set is which of ks. Arr also sched dates to be med.					
(X) Defendant remanded to cust	ody of U. S. Marshal.					

### FINANCIAL AFFIDA IT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

RECEIVED & IDENTIFY \$		UNITED STA	ATES _ MAGISTRATE M DISTRICT _ APPEALS CO	DURT or   OTHER PANEL (Specify below)
PERSON REPRESENTED (Show your full name)    DOCKET NUMBERS	IN THE	CASE OF		
PERSON REPRESENTED (Show your full name)    DOCKET NUMBERS	<u> </u>	A	vs. Maria	1085-4
CHARGE/OFFENSE (describe if applicable & check box +)				Outraine
CHARGE/OFFENSE (describe if applicable & check box - )   Teleiony   Misdemeanor   Misd				1 Defendant—Adult Magistrate
CHARGE/OFFENSE (describe if applicable & check box - )	N	nehar	el Ateven Hay	3 Appellant
CHARGE/OFFENSE (describe if applicable & check box +)    Misdemeanor				4 Probation Violator 89-CR-83-8
ANSWERS TO QUESTIONS RECARDING ABILITY TO PAY  Are you now employed? Yes No Am Self Employed Name and address of employer: Hall The Source Struct of the form of self-employment How much did you earn per month?  If YES, how much do you arrived within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? Yes THE SOURCES  CASH Have you any cash on hand or money in savings or checking account Yes No IFYES, state total amount \$  Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No DESCRIPTION  DESCRIBE IT DESCRIBE IT  DEPENDENTS & MARRIED WIDOWED NORTH NAME OF TOTAL HAMPING NAME OF T	CH	ARGE/OFFENS		6 Habeas Petitioner 198
ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY  Are you now employed? Yes No Am Self Employed Name and address of employer: An Self Employed No Warting Tyes, No Wish and Name and	Ca	and to	o Mrs Contracted	8 Material Witness
ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY  Are you now employed? Yes No Am Self Employed Name and address of employer: An Self Employed No Warting Tyes, No Wish and Name and		of h	SUBSTANCE TOLISIG	o other specify Silver, Clark
Are you now employed? Yes No Am Self Employed Name and address of employer:  IF YES, how much do you earn per month? \$ IF NO, give month and year of last employment earn per month? \$ IF NO, give month and year of last employment How much did you earn per month \$ If married is your Spouse employed? Yes No Workel IF YES, how much does your Spouse earn per month \$ Parents or Guardian's approximate monthly income \$ If a minor under age 21, what is your Spouse earn per month \$ Parents or Guardian's approximate monthly income \$ If a minor under age 21, what is your Spouse earn per month \$ Parents or Guardian's approximate monthly income \$ If a minor under age 21, what is your Spouse earn per month \$ Sources  Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? Yes No  **RECEIVED**  **RECEIVED**  **RECEIVED**  **RECEIVED**  **BUSINGLE**  **DESCRIPTION*  **PROP-ERTY*  **IF YES, GIVE THE AMOUNT RECEIVED**  **RECEIVED**  **DESCRIPTION*  **PROP-ERTY*  **IF YES, GIVE VALUE AND \$ SOURCES*  **DESCRIPTION*  **DESCRIPTION*  **PROP-ERTY*  **DESCRIPTION*  **DESCRI				
Name and address of employer:    FYES, how much do you earn per month?   FYES, how much do you earn per month?   FYES, how much do you earn per month?   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, how much do you earn per month \$   FYES, give The Amount Free Free Free Free Free Free Free Fre		7		
IF YES, how much do you earn per month?   Green   How much did you earn per month   Superior   How mich did your earn per month   Superior   How mic		139	Name and address of employer: Halls	Thre Some Durly 16-
If married is your Spouse employed?   Yes   No   No   No   No   No   No   No   N			IF YES, how much do you	IF NO, give month and year of last employment
If yes, how much does your Spouse earn per month \$ Parents or Guardian's approximate monthly income for G		MENT	If married is your Spouse employed?	N
Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources?   Yes			IF YES, how much does your If a	minor under age 21, what is your
THE FORM OF rent payments, interest, dividends, retirement or annuity payments, or other sources? Yes SOURCES  IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES  CASH Have you any cash on hand or money in savings or checking account Yes No IF YES, state total amount \$			openio on per menter (	
ASSETS INCOME  IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY \$ THE SOURCES  CASH  Have you any cash on hand or money in savings or checking account Yes No IF YES, state total amount \$  Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes VALUE  DESCRIPTION  IF YES, GIVE VALUE AND \$ DESCRIPTION  DESCRIPTION  DESCRIPTION  DESCRIPTION  List persons you actually support and your relationship to them No. of Dependents  MARRIED MARRIED MONTHLY BILLS  Creditors  Total Debt Monthly Payt.  APARTMENT OR HOME:  SOURCES  NO IF YES, state total amount \$  IF YES, GIVE VALUE AND \$  DESCRIPTION  DESCRIPTION  Creditors  Total Debt Monthly Payt.  APARTMENT OR HOME:  SUBJECT  Creditors  Total Debt Monthly Payt.			Have you received within the past 12 months any inco the form of rent payments, interest, dividends, retirem	
RECEIVED & IDENTIFY \$	ACCETC J			
CASH  Have you any cash on hand or money in savings or checking account  No IF YES, state total amount   Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary No VALUE  NO DESCRIPTION  IF YES, GIVE VALUE AND  DESCRIBE IT  DESCRIBE IT  DESCRIBE IT  DESCRIBE IT  DESCRIBE IT  DESCRIBE IT  DEPENDENTS  No. of Dependents  No. of Dependents  DIVORCED  NO. OF DEPENDENTS  NO. OF DE	AUGETO T	INCOME	RECEIVED & IDENTIFY \$	
Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)?		OACU		
PROPERTY  IF YES, GIVE VALUE AND \$ DESCRIPTION  DESCRIBE IT  DESCRIBE IT  DEPENDENTS  MARITAL STATUS SINGLE DEPENDENTS  MARRIED WIDOWSED SEPARATED OR DIVORCED  Creditors  Total No. of Dependents  DEBTS & APARTMENT OR HOME:  SILLS CLIST ALL CREDI-  NO. OF DESCRIPTION  DESCRIPTION  DESCRIPTION  List persons you actually support and your relationship to them  No. of Dependents  Total Debt Monthly Payt.  S S  S  S  S  S  S  S  S  S  S  S  S		UASH		
DESCRIBE IT  DESCRIBE IT  DESCRIBE IT  DESCRIBE IT  DEPENDENTS  MARITAL STATUS SINGLE Dependents  DEPENDENTS  MARRIED WIDOWED SEPARATED OR DIVORCED  DEBTS & MONTHLY BILLS (LIST ALL CREDI-  APARTMENT OR HOME:  SERVICE  Total No. of Dependents  Creditors  Total Debt Monthly Payt.  APARTMENT OR HOME:  SERVICE  MARITAL STATUS Total No. of Dependents  Total Debt Monthly Payt.  SERVICE  MONTHLY SERVICE SERVIC			Do you own any real estate, stocks, bonds, no household furnishings and clothing)?   Yes	tes, automobiles, or other valuable property (excluding ordinary No
DESCRIBE IT    DESCRIBE IT			1	
DEPENDENTS  DEPENDENTS  MARRIED  WIDOWED  SEPARATED OR  DIVORCED  Creditors  Total Debt  Monthly Payt.  APARTMENT OR HOME:  SUBJECT  SINGLE  MONTHLY  BILLS  (LIST ALL CREDI-		ENIT		
DEPENDENTS    SINGLE   Dependents				
DEPENDENTS    SINGLE   Dependents				List persons you actually support and your relationship to them
DBLIGATIONS SEPARATED OR DIVORCED  DEBTS & MONTHLY BILLS (LIST ALL CREDI-			SINGLE Dependents	
DEBTS & DEBTS & Monthly Payt.  DEBTS & MONTHLY BILLS (LIST ALL CREDI-		DEPI		
DEBTS & MONTHLY BILLS (LIST ALL CREDI-  APARTMENT OR HOME:  S  S  S  S  S  S  S  S  S  S  S  S  S		IS .	SEPARATED OR	
BILLS (LIST ALL CREDI-  \$	& DEBTS	DEB.		Total Debt Monthly Payt.
				\$\$\$
		TORS, II	NCLUDING	
BANKS, LOAN COM- PANIES, CHARGE ACCOUNTS, ETC.)		PANIES,	CHARGE TS, ETC.)	
I certify the above to be correct.		SIC		the above to be correct.
(OR PERSON REPRESENTED)  Muchaul Holl			m 11	D Hell

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

JUL 20 1989 IN THE UNITED STATES DISTRICT COURT FOR THE Jack C. Silver, Clark NORTHERN DISTRICT OF OKLAHOMA U.S. DISTRICT COURT UNITED STATES OF AMERICA, Plaintiff, vs. NO. 89-CR-83-06-E \_\_MICHAEL STEVEN HALL Defendant(s) ORDER APPOINTING COUNSEL On this 20th day of JULY  $_{\star}$ , 19 $_{\star}$  89 , the abovenamed having completed an affidavit as to financial ability to employ counsel, and upon review, the Court finds that the affiant(s) is/are financially unable to obtain counsel. In accordance with the Northern District of Oklahoma Plan for Implementing the Criminal Justice Act of 1984, IT IS HEREBY ORDERED that the: Federal Public Defender is appointed to represent the following: MICHAEL STEVEN HALL XX all further proceedings unless and until relieved by order of the court. Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, necessary, for appointment to represent the following: Defendant will reimburse the government reasonable cost of providing representation accordance with his/her ability to pay as determined by further order of the court. Federal Public Defender is temporarily appointed to represent the following: for purposes of initial appearance only.

Dated this 20th day of

JOHN LEO WAGNER

JULY

UNITED STATES MAGISTRATE

# United States District Court

DISTRICT OF KANSAS

UNITED STATES OF AMERICA V.	COMMITMENT TO ANOTHER DISTRICT	
MICHAEL STEVEN HALL	CASE NUMBER: 89-1081M-01	
The defendant is charged with a violation of	21 U.S.C. 846; 841; 853 alleged to have been com-	
mitted in the Northern District of Oklahoma.		
Brief Description of Charge(s):		
manufacturing of, possession of and distribution of methamphetamine, a Schedule II substance.		
The defendant has been unable to obtain release under the Bail Reform Act of 1984, 18 U.S.C. §§3141-3143.		
TO: THE UNITED STATES MARSHAL		
You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant, all proceedings required by Fed. R. Crim. P. 40 having been completed.		
Date 77, 1989	Judicial Officer B. Wooling	
RETURN		
This commitment was received and executed as follows:		
DATE COMMITMENT ORDER RECEIVED  PLACE OF COMMITMENT  U.S.M.S. ND/OK  7/20/89		
1/20/89 Kenneth L. Pek	(BY) DEPUTY MARSHAC	
	• •	

# United States District Court

NOR	THERN DISTR	CICT OFOKLAHOMA
U.S.A. V.		NOTICE
LOREN EUGENE HALL, MICHAEL STEVEN HALL	JR.	CASE NUMBER: 89-CR-83-03 & 06-E
TYPE OF CASE:	□ CIVIL	△ CRIMINAL
X TAKE NOTICE That a pro	ceeding in this case has been	set for the place date, and time set forth below:
PLACE		ROOM NO.
U S COURTHOUSE		COURTROOM #2
TULSA OKLAHOMA		DATE AND TIME
		SEPTEMBER 18, 1989, 9:30 A.M.
JURY TRIAL  TAKE NOTICE that the pi	roceeding in this case has beer	n continued as indicated below:
PLACE	DATE AND TIME PREVIOUSLY SCHEDULED	CONTINUED TO, DATE AND TIME
7-21-89 DATE		JACK C. SILVER, CLERK  U.S. MAGISTRATE OR CLERK OF COURT  Beverly McCullough  (BY) DEPUTY CLERK
To: Jim Heslet David Booth		

Jack Morgan

DEFENDANT MOTIONS DUE: 8-4-89

GOVERNMENT RESPONSES DUE: 8-14-89

CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 8-31-89 PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 9-11-89, 2:30 P.M.

REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 9-11-89

#### UNITED STATES DISTRICT COURT FOR THE IN OPEN COURT NORTHERN DISTRICT OF OKLAHOMA

IJUL 5 1989

UNITED STATES OF AMERICA,

Plaintiff,

VS.

LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR. BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL,

Defendants.

Jack C. Silver, Clerk U.S. DISTRICT COURT

\* 89CR

INDICTMENT [21 U.S.C. §§846, 841(a)(1): Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute, Methamphetamine; 21 U.S.C. §853: Forfeiture]

THE GRAND JURY CHARGES:

#### COUNT ONE

[21 U.S.C. §§846, 841(a)(1), 853]

#### Α. INTRODUCTION

Beginning in or about September, 1987, and continuing through and including February 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., §846, as follows:

To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

- (2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. §841(a)(1).
- (3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

#### B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

- (1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR.,
  DAVID ROYSE LADD, and others both known and unknown to the grand
  jury, would and did knowingly purchase precursor chemicals in the
  Northern District of Oklahoma, and elsewhere, with the intent to
  manufacture mehtamphetamine.
- (2) LOREN EUGENE HALL, JR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.
- (3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and unknown to the grand jury would and did knowingly manufacture methamphetamine.
- (4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.

C. OVERT ACTS

To effect the objects of the conspiracy, the defendants named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

- (1) In or about September or October, 1987, LORAN EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.
- (2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.
- (3) In or about September or October, 1987, BARBARA ANN MARTENEY, in Texas, sold methamphetamine, and delivered money therefrom to LORAN EUGENE HALL, SR.
- (4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.
- (5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.
- (6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.
- (7) On or about October 28, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

(8) On or about October 31, 1988, LORAN EUGENE HALL,
SR., and LOREN EUGENE HALL, JR., purchased chemicals and
glassware in Tulsa, Oklahoma.

(9) On or about November 15, 1988, LORAN EUGENE HALL,
SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator
purchased chemicals in Tulsa, Oklahoma.

(10) On or about November 28, 1988, LORAN EUGENE HALL,
SR., called by telephone to Mid-Town Scientific Co., Tulsa,

- (10) On or about November 28, 1988, LORAN EUGENE HALL SR., called by telephone to Mid-Town Scientific Co., Tulsa, Oklahoma, to advise that he would be coming or calling to place an order for 110 pounds of Ephedrine.
- (11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock.
- (12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas.
- (13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit.
- (14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
- (15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR.
- (16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas.

- (17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetmaine.
- (18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.
- (19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals.
- (20) On or about February 15, 1989, LOREN EUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas.
- (21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory.
- (22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas.
- (23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie.
- (24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICAHRD LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas.

(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

#### D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United States by the Court of the above defendant's following described property upon their individual and respective convictions herein, pursuant to Title 21, United States Code, §853:

- (1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.
- (2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM United States Attorney

Ву

Assistant United States Attorney

in the state of th

JSM:ddb

(Rev. 6/78)	
DEFENDANT INFORMATION RELATIVE TO A	CRIMINAL ACTIC - IN U.S. DISTRICT COURT
BY. COMPLAINT CINFORMATION XINDICTMENT	Name of District Court, and/or Judge/Magistrate Location (City)
OFFENSE CHARGED	NORTHERN DISTRICT OF OKLAHOMA
Conspiracy to Manufacture; Possess	DEFENDANT – U.S. vs.
with Intent to Distribute; and to Petty Distribute, Methamphetamine;	
Forfeiture Minor	LORAN EUGENE HALL, SR.
meanor	XYIII
LX_J Felony	Address 83F
Place of offense U.S.C. Citation ————————————————————————————————————	Rieth [
ND/OK (a)(1); 853	Date KXJ Male Alien Female (if applicable)
	(Optional unless a juvenile)
PROCEEDING	DEFENDANT.
Name of Complainant Agency, or Person & Title, if any)	IS NOT IN CUSTODY
S. Horton (OBNDDC)	1) XX Has not been arrested, pending outcome this proceeding
	If not detained give date any prior summons was served on above charges
person is awaiting trial in another Federal or State Court,	2) Is a Fugitive
give name of court	3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District	IS IN CUSTODY
per (circle one) PACIF 20, 21 of 40. Show District	IS IN CUSTODY
	4) On this charge 5) On another conviction
this is a reprosecution of charges	6) Awaiting trial on other charges
previously dismissed which were SHOW	If answer to (6) is "Yes", show name of institution
dismissed on motion of:  U.S. Att'y Defense  DOCKET NO.	
this prosecution relates to a pending	Has detainer LI Yes ) If "Yes"
case involving this same defendant	been filed?
prior proceedings or appearance(s)  MAGISTRATE CASE NO.	Mo. Day Year
before U.S. Magistrate regarding this defendant were recorded under	DATE OF ARREST
	Or if Arresting Agency & Warrant were not Federal
Name and Office of Person	Ma Day Van
Furnishing Information on THIS FORM  L Diane Brown	DATE TRANSFERRED TO U.S. CUSTODY
U.S. Att'yOther U.S. Agency	
Name of Asst. U.S. Att'y	
(if assigned) JOHN S. MORGAN	This report amends AO 257 previously submitted
ADDITIONAL INFORMA	ATION OR COMMENTS

Special Assessment: \$50.00 as to Count One

DO: Count One: September, 1987 to February 16, 1989

DEFENDANT INFORMATION RELATIVE TO A	CRIMINAL ACTIC - IN U.S. DISTRICT COURT
BY. COMPLAINT CINFORMATION MINDICTMENT	Name of District Court, and/or Judge/Magistrate Location (City)
OFFENSE CHARGED	NORTHERN DISTRICT OF OKLAHOMA
Conspiracy to Manufacture; Possess with Intent to Distribute; and to	DEFENDANT – U.S. vs.
Distribute, Methamphetamine;	KENT PATRICK THIMMMESCH a/k/a Paul Lassle
meanor IXX Felony	Address 89CR 83E
Place of offense 21 USC §\$846, 841 (a) (1); 853	Birth Date Alien
PROCEEDING	(Optional unless a juvenile)
Name of Complainant Agency, or Person (& Title, if any)	IS NOT IN CUSTODY
S. Horton (OBNDDC)	1) X Has not been arrested, pending outcome this proceeding If not detained give date any prior summons was served on above charges
person is awaiting trial in another Federal or State Court, give name of court	2) Is a Fugitive 3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District	
per (circle one) PRCP 20, 21 or 40. Show District	IS IN CUSTODY  4) On this charge
this is a reprosecution of charges previously dismissed which were dismissed on motion of:  U.S. Att'y Defense  DOCKET NO.	5) On another conviction 6) Awaiting trial on other charges If answer to (6) is "Yes", show name of institution
this prosecution relates to a pending case involving this same defendant	Has detainer
prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under	Mo. Day Year  DATE OF ARREST
Name and Office of Person	Or if Arresting Agency & Warrant were not Federal
Furnishing Information on  THIS FORM  Diane Brown  WMU.S. Att'y  Other U.S. Agency	DATE TRANSFERRED Mo. Day Year TO U.S. CUSTODY
Name of Asst. U.S. Att'y  JOHN S. MORGAN	This report amends AO 257 previously submitted
ADDITIONAL INFORMA	TION OR COMMENTS
	y and an arminent of

Special Assessment: Count One: \$50.00

DO: September, 1987 to February 16, 1989

ADDITIONAL INFORMATION OR COMMENTS -

\$50.00 as to Count One Special Assessment:

Count One: September, 1987 to February 16, 1989

ADDITIONAL INFORMATION OR COMMENTS -

Special Assessment: \$50.00 as to Count One

DO: Count One: September, 1987 to February 16, 1989

DEFENDANT INFORMATION RELATIVE TO A	CRIMINAL ACTIC - IN U.S. DISTRICT COURT
BY: COMPLAINT CINFORMATION XINDICTMENT	Name of District Court, and/or Judge/Magistrate Location (City)
OFFENSE CHARGED	NORTHERN DISTRICT OF OKLAHOMA
Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute, Methamphetamine; Forfeiture  Minor Forfeiture	DEFENDANT - U.S. vs.
Place of offense  ND/OK  U.S.C. Citation  21 USC §\$846, 841  (a) (1); 853	Address 89CR 83E  Birth Date
Name of Complainant Agency, or Person (& Title, if any)	IS NOT IN CUSTODY
S. Horton (OBNDDC)  person is awaiting trial in another Federal or State Court, give name of court	1) X Has not been arrested, pending outcome this proceeding If not detained give date any prior summons was served on above charges  2) Is a Fugitive 3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District	IS IN CUSTODY
this is a reprosecution of charges previously dismissed which were dismissed on motion of:  U.S. Att'y Defense  SHOW DOCKET NO.	4) On this charge 5) On another conviction 6) Awaiting trial on other charges If answer to (6) is "Yes", show name of institution
this prosecution relates to a pending case involving this same defendant  prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under	Has detainer
	Or if Arresting Agency & Warrant were not Federal
Name and Office of Person Furnishing Information on THIS FORM Diane Brown WUS. Att'y Other U.S. Agency	DATE TRANSFERRED Mo. Day Year TO U.S. CUSTODY
Name of Asst. U.S. Att'y (if assigned)  JOHN S. MORGAN	This report amends AO 257 previously submitted
Special Assessment: Count One: \$50.00	TION OR COMMENTS

DO: Count One: September, 1987 to February 16, 1989

DEFENDANT INFORMATIO. RELATIVE TO A	CRIMINAL ACTIC IN U.S. DISTRICT COURT
BY COMPLAINT DINFORMATION XINDICTMENT	Name of District Court, and/or Judge/Magistrate Location (City)
OFFENSE CHARGED	NORTHERN DISTRICT OF OKLAHOMA
Conspiracy to Manufacture; Possess	
with Intent to Distribute; and to Petty	DEFENDANT – U.S. vs.
Distribute. Methamphetamine;	
Forfeiture	MICHAEL STEVEN HALL
meanor	Address
Place of offense U.S.C. Citation ———	89CR 83E
21 USC \$\$846. 841	Birth Date Alien
ND/OK (a)(1); 853	Female (if applicable)
	(Optional unless a juvenile)
PROCEEDING	DEFENDANT
Name of Complainant Agency, or Person (& Title, if any)	IS NOT IN CUSTODY
S. Horton (OBNDDC)	Has not been arrested, pending outcome this proceeding     If not detained give date any prior summons     was served on above charges
person is awaiting trial in another Federal or State Court,	2) Is a Fugitive
give name of court	3) Is on Bail or Release from (show District)
1	
this person/proceeding is transferred from another district	
per (circle one) FRCrP 20, 21 or 40. Show District	IS IN CUSTODY
	4) On this charge
	5) On another conviction
this is a reprosecution of charges	6) Awaiting trial on other charges
previously dismissed which were dismissed on motion of:	If answer to (6) is "Yes", show name of institution
U.S. Att'y Defense	
this prosecution relates to a pending	Has detainer
case involving this same defendant	been filed?   No give date
prior proceedings or appearance(s)  MAGISTRATE CASE NO.	Mo. Day Year
before U.S. Magistrate regarding this defendant were recorded under	DATE OF ARREST
the determant violations and i	
Name and Office of Person	Or if Arresting Agency & Warrant were not Federal
urnishing Information on	DATE TRANSFERRED Mo. Day Year
THIS FORM  Diane Brown  SU.S. Att'y  Other U.S. Agency	TO U.S. CUSTODY
Name of Asst. U.S. Att'y if assigned)  JOHN S. MORGAN	This report amends AO 257 previously submitted
ADDITIONAL INFORMA	TION OF COMMENTS
ADDITIONAL INFORMA	TION ON COMMENTS

Special Assessment: \$50.00 as to Count One

DO: Count One: September, 1987 to February 16, 1989

N	ORTHERN	DISTRICT OF	OKLAHOMA	
UNITED STA	TES OF AMERICA		WARRANT F	OR ARREST
LORAN EUG	ENE HALL, SR.	CASE N	.,	-
To: The United States I and any Authorized	Marshal I United States Officer	<b> </b>	39CR	83E
YOU ARE HER	EBY COMMANDED to a	arrestLORAN_EL	JGENE HALL, SR.	
and bring him or her fo	rthwith to the nearest ma	agistrate to answer a(	n)	
X Indictment  Inform	nation 🗌 Complaint 🗌	Order of court	olation Notice 🗌 P	robation Violation Petition
charging him or her with (brief description of offense)  Conspiracy to Manufacture; Possess with Inent to Distribute; and to Distribute Methamphetamine; Forfeiture				
JACK C SIL Name of Issuing Officer Signature of Issuing Officer		Title of Issui	ng Officer JUL 0 (	
Bail fixed at \$		by	Name of Judicia	al Officer
RETURN				
This warrant was reco	eived and executed with t	the arrest of the above	e-named defendant a	at
DATE RECEIVED	NAME AND TITLE OF ARRESTIN	IG OFFICER	SIGNATURE OF ARRESTI	NG OFFICER
DATE OF ARREST				

DATE OF ARREST

	NORTHERN	_ DISTRICT OF	OKLAHOMA	
KENT PA	STATES OF AMERICA V.  ATRICK THIMMESCH AL Richard Lassley	CASE	WARRANT FOR	R ARREST
To: The United State and any Authori	es Marshal zed United States Officer	1	89CR	83E
YOU ARE H	EREBY COMMANDED to	arrest <u>Kent Pa</u>	trick Thimmesch a/k/	/a Paul R. Lassley
and bring him or her	forthwith to the nearest ma	agistrate to answer	a(n)	
	formation	Order of court	Violation Notice  Prob	pation Violation Petition
charging him or her	with (brief description of offense)			
	y to Manufacture; Poss tamine; Forfeiture	sess with Inent	to Distribute; and	to Distribute
in violation of Title _	21 United St	ates Code, Section	i(s) 846, 841(a)(1), 8	853
JACK C. S Name of Issuing Officer Signature of Issuing Office	CET	Title of Iss		3 1989
Bail fixed at \$			Name of Judicial Of	fficer
This warrant was re	eceived and executed with t	RETURN		
Inis warrant was n	eceived and executed with t	me arrest of the abo	We-Hailleu delendant at _	
DATE RECEIVED	NAME AND TITLE OF ARRESTIN	G OFFICER	SIGNATURE OF ARRESTING O	FFICER

DATE OF ARREST

C				
1	NORTHERN	DISTRICT OF _	OKLAHOMA	
UNITED ST	ATES OF AMERICA V.		WARRANT FOR	R ARREST
LOREN EUG	GENE HALL, JR.			
		CASI	E NUMBER:	
To: The United States	Marshal d United States Office	,	89CR	83E
and any Admonizo	a office of acos of most		00020	0 0 22
YOU ARE HE	REBY COMMANDED	to arrestLORE	N EUGENE HALL, JR.	
and bring him or her fo	orthwith to the nearest	magistrate to answe	r a(n)	
	mation   Complaint	Order of court	Violation Notice  Prob	ation Violation Petition
charging him or her wi	th (brief description of offense)			
		necess with Inan	t to Distribute: and	to Distribute
Conspiracy to Manufacture; Possess with Inent to Distribute; and to Distribute Methamphetamine; Forfeiture				
•				
la vialation of Title	21	Ctatas Cada Castia	-(a) 846, 841(a)(1),	853
in violation of little	United	States Code, Section	on(s) 846, 841(a)(1),	
	⊿∀ER			
Name of Issuing Officer	4	Title of Is	ssuing Officer JUL 0 6 19	98 <b>9</b>
Signature of Issuing Officer			Location	
Signature of issuing officer		Date and	Location	
Bail fixed at \$		by	Name of Judicial O	fficer
		RETURN		
This warrant was rec	eived and executed wit	h the arrest of the ab	ove-named defendant at _	
in guarinessa suuruvannin sitäästä, te riiginpitulainet säine Pri				
DATE DECEMEN	NAME AND TITLE OF APPEC	TING OFFICER	SIGNATURE OF ARRESTING O	DEFICER
DATE RECEIVED	NAME AND TITLE OF ARRES	TING OFFICER	Joint of Afficontia	

DATE OF ARREST

	NORTHERN	_ DISTRICT OF	OKLAHOMA	
	TATES OF AMERICA V. A ANN MARTENEY		WARRANT F	OR ARREST
		CASE N	IUMBER:	
To: The United State and any Authoriz	es Marshal red United States Officer	* 8	39CR	83E
YOU ARE HE	EREBY COMMANDED to	arrestBARBA	RA ANN MARTENEY Name	
and bring him or her	forthwith to the nearest m	agistrate to answer a	(n)	
X Indictment Info	ormation   Complaint	Order of court U	iolation Notice 🗌 F	Probation Violation Petition
charging him or her v	vith (brief description of offense)			
	to Manufacture; Poss amine; Forfeiture	ess with Inent to	Distribute; an	d to Distribute
in violation of Title	United S	tates Code, Section(s	s)846, 841(a)(1),	853
Name of Issuing Officer Signature of Issuing Officer		Title of Issui	JUL 0	6 1989
Bail fixed at \$		by	Name of Judicia	al Officer
		DETUDN		
This warrant was re	ceived and executed with t	RETURN the arrest of the above	e-named defendant a	at
DATE RECEIVED	NAME AND TITLE OF ARRESTIN	IG OFFICER	SIGNATURE OF ARRESTIN	IG OFFICER

### United States District Court

UNITED STATES OF AMERICA

DAVID ROYSE LADD

NORTHERN

WARRANT FOR ARREST

CASE NUMBER:

DISTRICT OF OKLAHOMA

To: The United States Marshal and any Authorized United States Officer

'89CR

83E

YOU ARE HE	REBY COMMANDED to arrest	DAVID F	ROYSE LADD	
			Name	
and bring him or her f	forthwith to the nearest magistrat	e to answer a	a(n)	
X☐ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition				
charging him or her w	ith (brief description of offense)			
Conspiracy Methampheta	to Manufacture; Possess wi mine; Forfeiture	th Inent t	to Distribute; and to Distribute	
	9			
in violation of Title	21 United States Co	de, Section(	s)846, 841(a)(1), 853	
JACK_& SIL	VER			
Name of Issuing Officer		Title of Issu	ing Officer	
_ Cla			JUL 0 6 1989	
Signature of Issuing Officer Date and Location				
Bail fixed at \$		by		
			Name of Judicial Officer	
	RE	TURN		
This warrant was reco	eived and executed with the arres	t of the above	e-named defendant at	
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER		SIGNATURE OF ARRESTING OFFICER	
DATE OF ARREST				

### United States District Court

NORTHERN	DISTRICT OF	OKLAHOMA	
UNITED STATES OF AMERICA			
٧.		WADDANT FOR ADDECT	

MICHAEL STEVEN HALL

WARRANT FOR ARREST

To: The United States Marshal and any Authorized United States Officer 89CR 83E

CASE NUMBER:

YOU ARE HEI	REBY COMMANDED to arrest	MI				
			Name			
and bring him or her fo	and bring him or her forthwith to the nearest magistrate to answer a(n)					
X Indictment Infor	rmation   Complaint   Order of	court 🗌 V	Violation Notice    Probation Violation Petition			
charging him or her wi	th (brief description of offense)					
	to Manufacture; Possess with mine; Forfeiture	h Inent t	to Distribute; and to Distribute			
	United States Cod	e, Section(:	(s)846, 841(a)(1), 853			
Name of Issuing Officer	VER	Title of Issui	uing Officer			
Mu		=	JUL 0 6 1989			
Signature of Issuing Officer  Bail fixed at \$		Date and Lo				
	DET	UDAI				
This warrant was received and executed with the arrest of the above-named defendant at						
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER		SIGNATURE OF ARRESTING OFFICER			
DATE OF ARREST						